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JOURNAL

OF THE

SENATE,

AT THE

CALLED SESSION

OF THE

Sixteenth General Assembly

OF THE

STATE OF TENNESSEE,

BEGUN AND HELD AT

NASHVILLE,

On Monday the Sixteenth day of October,

IN THE YEAR OF OUR LORD ONE THOUSAND, EIGHT HUNDRED AND TWENTY-SIX.

By Authority.

PRINTED AT THE REPUBLICAN OFFICE

NASHVILLE.

1826.

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JOURNAL

OF THE

SENATE.

At a meeting of the general assembly of the state of Tennessee, begun and held in Nashville on Monday the sixteenth day of October, one thousand eight hundred and twenty six, in pursuance of a proclamation of His Excellency William Carroll, bearing date the 11th day of August 1826, being the second session of the sixteenth general assembly.

On which day, being that fixed on by the proclamation of the governor, for the meeting of the general assembly, Mr. Robert C. Foster (of Davidson) the speaker, Russell Dance the clerk, and the following members of the senate, appeared and took their seats, (to wit:)

From the counties of	
Carter and Washington,	John Nelson
Sullivan and Hawkins,	James Amis
Jefferson and Greene,	John Gass
Grainger, Claiborne, and Campbell,	Martin Cleveland

Cocke, Sevier, Blount and Monroe,	Jos. R. Henderson
Knox,	James Anderson
Anderson, Morgan, Roane, Rhea, Bledsoe, Marion, Hamilton and M'Minn,	James Preston
Warren and Franklin,	Wm. C. Smartt
Smith,	L. B. Hughes
Sumner,	William Hall
Wilson,	Joseph Johnson
Rutherford,	M. M'Clanahan
Bedford,	T. F. Bradford
Robertson and Montgomery,	Henry Frey
Stewart, Humphreys, Perry, Carroll, Henderson, Henry, Weakley, Obion and Gibson,	James R. M'Means
Hickman, Lawrence, Wayne, Hardin, M'Nairy, Hardeman, Fayette, Shelby, Dyer, Tipton, Haywood and Madison,	Joel Walker

The following new members, also, appeared (to wit:) Mr. Aaron V. Brown, from the counties of Lincoln and Giles, to fill the vacancy accasioned by Mr. Wm. E. Kennedy's accepting the appointment of judge of the judicial circuit, who produced his credentials, and took his seat, the oath prescribed by the constitution of the state, being first administered to him by Robert C. Foster Esq. one of the justices of the peace for Davidson county.

A quorum of the senate, being present, it was ordered, that the clerk, do by message, acquaint the House of Representatives therewith, and inform them that the senate are ready to proceed to the dispatch of public business.

The speaker laid before the senate, the resignation of Mr. Benj. M. Bradford engrossing clerk, which was read and accepted.

The senate, then proceeded by ballot to the election of an engrossing clerk, and upon an examination of the third balloting it appeared that Mr. William J.

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Anderson was duly elected, who took his seat at the clerks table, an oath to support the constitution of the United States, and the constitution of the state of Tennessee together with an oath of office, being first administered to him by Robert C. Foster Esq. one of the justices of the peace for Davidson county.

Mr. Bradford submitted the following resolution which was adopted.

Resolved, that a joint select committee be appointed to wait upon His Excellency the Governor, and inform him that a quorum of both branches of the general assembly have convened, and are ready to receive any communication he may have to make them.

Mr. Hall and Mr. Henderson, were appointed to be of said committee on the part of the senate.

Ordered, that the clerk, do by message acquaint the house of representatives therewith and ask their concurrence therein.

A message from the House of Representatives by Mr. Campbell their clerk:

Mr. Speaker,

A quorum of the house of representatives have, also, convened and are organized, and have elected Thomas J. Campbell their clerk.

They concur in your resolution to appoint a joint select committee to wait upon His Excellency the Governor, and inform him that the two branchs of the general assembly are ready to receive any communication he may have to make them, and have appointed Messrs. Gibbs, Parsons, Martin and Thompson to be of said committee on their part.

And then he withdrew.

On motion,

The senate adjourned 'till tomorrow morning 10 o'clock.

TUESDAY, OCTOBER 17, 1826.

Mr. Walker presented the resignatien of James Scott, Esq. solicitor general for the 12th solicitorial district of the state of Tennessee,

Which was read and accepted.

Ordered, that the clerk, transmit it to the house of representatives for their acceptance.

Mr. Hall from the joint committee appointed to wait upou His Excellency the Governor and inform him that both branches of the general assembly had convened and were ready to rece ve any communication he may wish to make them.

Reported, that the committee had performed the duty assigned them, and that his excellency the Governor, returned for answer, that he would in a few minutes, make a communication to the two branches of the general assembly.

The following message, was received from his excellency the governor, by Daniel Graham Esq. secretary of state, which was read at the clerks table, as follows (to wit:)

Fellow Citizens of the Senate and of the House of Representatives.

Believing that the stated sessions of the general assembly, are usually sufficient for the ordinary purposes of legislation: I shall at this time, present for your consideration but few subjects other than those upon which it is thought indispensable for you to act.

The enumeration of the free male inhabitants of this state, has been made in the manner directed by the law of the last session.

The subject of the appointment of representation, consistent with the provisions of the constitution for fixing the rates of representation in the general assembly, will of course receive your early attention: many of the clerks failed to transmit their returns, as required by law on or before the first day of September last; a law making returns legal, which have

been received since that period, would seem to be necessary.

Your attention is again invited to the state of our courts: It appeared to be a prevalent opinion at the last session, that this session which from circumstances, was then anticipated would be a favourable time for a fair and temperate consideration of our judicial system; The interval between the sessions would, it was thought afford opportunity for reflection upon the amendments suggested, and also, enable you to return to the discharge of your duties with a knowledge of the public will on this important subject.

My opinions with regard to it have not changed since I was placed in the situation I now occupy; I take the liberty of refering you to my former messages, particularly that of 1824, for a view of what has occurred, and still occurs to me as the best plan of amendment; A plan which lessens the number of courts for the trial of jury causes, thereby saving a sufficient sum to secure to us, for decision of causes in the last resort, an honest, intelligent, prudent and vigorous supreme court: In the hands of this tribunal are our property, character and lives. No exertion can be too great to place it upon the best possible footing. That the progress of society, the increase of population, wealth and litigation, would make changes in the arrangements of our courts politic and necessary, was reasonably to be expected.

In making alterations, however, we should never loose sight of the wise checks upon the legislative department, found in our constitution; Checks not intended for the individual benefit of judges, but designed, by protecting incumbents during good behaviour, to render them independent, while they act correctly, and thus to secure the rights and liberties of the citizens. Those best acquainted with the dockets of our supreme court of errors and appeals, represent them as becoming more, instead of less crowded, a number of the causes on one of them,

have been depending there for many years, and unless a remedy be applied by the general assembly, the situation of the court, so far from affording, as it should, speedy relief to the injured, would seem to create such delay, as almost amounts, in the language of our bill of rights, to a denial of justice, and has created general dissatisfaction. This court ought to be reorganized, that it should never adjourn, until it had gone through every case on its docket; for this object, it would appear to be necessary to lessen the travels of the judges, and to lessen the practice by not requiring the individuals who preside there to hold inferior courts of equity; the number of which the court is at present in fact composed, seems little auspicious to a speedy determination of causes; there are four judges, and three are required to concur in every judgment and decree

Upwards of seven years ago, in consequence of the pecuniary embarrassment of the country the banks of Tennessee, with the exception of the state bank at Knoxville, ceased to redeem their notes by the payment of specie. The measure was deemed to be expedient principally on account of the inability of the bank debtors to meet the calls, which necessity would have obliged those institutions to make to sustain their own credit. Yet it was not anticipated by any who reflected upon the subject, that a paper circulating medium should be permitted to exist, beyond the period when a sound currency could be safely restored. The directors and other officers of the banks, have been unremitting in their exertions to place the institutions in a situation to pay specie without seriously affecting the debtor class of society by their opperations; the object they had in view has been reached. The banks by a simultaneous act, commenced the payment of specie for their notes on the 1st day of September last, and I am highly gratified in being able to assure you, that little or no inconvenience has resulted from the measure. A much less amount of Gold & Silver has been called for than had been anticipated by the

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directors, and but a small part of that which has been paid has left the state. The restoration of a sound currency is a measure which should receive the unqualified approbation and support of every citizen, who feels interested in the future happiness and prosperity of Tennessee. It sustains our credit abroad, gives permanent and settled value to property, and causes every dollar in the country to circulate usefully and freely, thereby preventing much real deminution in the circulating medium. It is urged by some that the time selected for the resumption of specie payments, was unpropetious, that on consequence of the high prices that were obtained for cotton and tobacco, in the spring and summer of 1825, pecuneary engagements were then made, which cannot now be strictly complied with, owing in some degree to the low prices of the produce of the country, this reasoning would be entitled to consideration if the period could be pointed to, with any degree of certainty, when the community by a prudent management of its monied affairs might be unembarrassed, and better prepared to meet the emergency than at present. It may not be amiss to notice an opinion entertained by some, that the bank of the state of Tennessee, ought not to have commenced the payment of specie, without the sanction and direction of the general assembly. This opinion cannot as, I conceive, be supported by any good or even plausable reason; The usefulness of a bank depends on the credit it sustains, and if this institution had not begun to pay specie, when the other banks did, its paper would now be at a great discount, confidence in its solvency completely distroyed, and when it should commence the payment of its notes by order of the legislature, every dollar that could, would be immediately presented, which would so cramp its future opperations, that it would be of little or no value to the country.

It is confidently believed, that the peruniary concerns of our citizens generally are, all things con-

sidered, in a disirable situation. It is true that the cultivator of the soil cannot get high prices for the principle articles of exportation, yet it is equally true, that he has in a great abundance, all the necessary articles of consumption; and if our ideas and expectations be not too highly raised, if we are satisfied with a reasonable portion of the good things of life, if we live within our means, if we sell more than we buy, and buy only what we need, if we discourage extravagant importations of foreign goods by preferring our own household manufacture, in short, if we be industrious and frugal, we cannot fail to be a prosperous and happy people.

I had great pleasure in carrying into effect your resolution of the last session, requiring the governor to procure information from the different penitentiaries in the United States, with regard to their usefulness as a means of punishing criminal offences: For the purpose of giving effect to what I conceived to be the wish and intention of the legislature, letters of inquiry were addressed to the governors of states where penitentiaries have been estanlished: from many of whom replies have been received, containing much useful& satisfactory intelligence. I am also indebted to Governor Morril, of New Hampshire, for the receipt of an interesting report from the "Prison Discipline Society of Boston," which furnishes much valuable information from most of the penitentiaries and state prisons in the union. The information contained in the report is peculiarly important, and much to be relied upon, because it was obtained from the personal observation of an intelligent and zealous agent of the society, who was appointed to visit all the penitentiaries in the United States, for the purpose of collecting such facts as would enable the society to carry into successful operation the great and benevolent design for which it was formed.

The communications which I have received upon this subject, are thought to be too extensive and nu-

merous to lay before your body, on account of the time it would take to give them a full and fair investigation. The propriety of appointing a committee to examine and report upon them, is submitted to your attention, as being intimately connected with this subject: the committee might also examine the returns of the clerks of the circuit and county courts, touching the expense of criminal prosecutions.

It seems to be universally admitted, by all those who have bestowed much attention on the subject, that the penitentiary system, with the improvements which have been recently made, is better calculated to arrest the progress of crime and reform the guilty, than any penal code that has been heretofore devised. Experience has proved, that the prisoners must be classed; that no communication must be permitted between the old and hardened villain and the young and pliant offender; that the confinement of each individual in a separate cell at night, prevents the opportunity of forming dangerous combinations, and leads to reflections on the improprieties of an ill-spent life, which, in numerous instances, has produced reformation of the most sincere and permanent character.

In compliance with a resolution of your last session, a commissioner was appointed to aid the engineers of the United States, in making a survey through this state of a route for the great national road, contemplated to be established from the city of Washington to New Orleans. As I was wholly destitute of information as to the extent of the examination which the engineers were directed to make within the limits of Tennessee, it seemed to be proper to furnish our commissioner with instructions, pointing out the routes to the survey of which he was directed to call their attention. In the execution of the duties assigned to him, he was unable to procure but an extremely limited examination, the engineers not feeling themselves authorized to depart from the orders under which they acted. The instructions

which were given to the commissioner, together with his report, are herewih laid before you.

In obedience to an act passed at the last session, two commissioners were appointed on the part of Tennessee, to confer with those of the state of Alabama, on the practicability of removing the obstructions occasioned by the Muscle Shoals in the Tennessee river, by improving its bed, or by a canal on the north side of the river. The commissioners from 2 the states met early in September &examined the Shoals with the greatest care, and it is gratifying to be able to assure you, that they consider it entirely practicable to remove all obstructions to navigation for keel and small steam boats, at a much less expense than has been heretofore thought necessary. In the course of a few days, the report of our commissioners will be laid before you, accompanied with some remarks on the propriety and plan of appropriating funds jointly with Alabama. To accomplish an object so peculiarly important to the commercial interest of a considerable portion of the two states, the propriety of making compensation for the services of those gentlemen, as well as the commissioner who attended the engineers in the examination of a route for the national road, will doubtless receive your favorable attention.

Since the adjournment of the last session, the following temporary appointments have been made:—William E. Kennedy, Esqr. judge of the sixth judicial circuit; Hugh W. Dunlap, Esqr. solicitor general for the thirteenth solicitorial district; Augustin W. Bumpass, surveyor general of the seventh district; David C. Hunter, surveyor of Washington co. Samuel R. Russell, surveyor of Hamilton county, George A. Sublett, entry-taker of Rutherford county, and Thomas K. Williams, entry-taker of Lincoln county. Those appointments were made, in consequence of the resignations of the former incumbents, and as they expire at the end of the present session, the duty of making permanent appointments will de-

volve on the general assembly at this time.

WM. CARROL.

Executive Office,
Nashville, Oct. 16, 1826.

On motion of Mr. Bradford,

Ordered that three hundred copies of the above communication of His Excellency, be printed for the use of the members of the senate.

Mr. Bradford submitted the following resolutions, which were adopted.

Resolved, that standing committees of the last session be the standing committees of the present session, and where vacancies may have happened in any of said committees, it shall be filled by the returned member.

Resolved, that the rules of decorum for the government of the senate, adopted at the last session, be the rules of decorum for the government of the senate at the present session.

On motion of Mr. Henderson,

The following was added to the rules of decorum for the government of the senate:

"Each member, when he addresses the speaker shall stand at his own table."

Mr. Anderson submitted the following resolutions:

Resolved, that the secretary of state deliver to the doorkeepers of either branch of the general assembly, such books and documents as may be wanted for the use of the members.

Resolved, that a joint select committee be appointed to contract for the job printing that may be wanted by this general assembly.

On motion of Mr. Anderson,

The rule of the senate requiring resolutions to lie upon the table one day for consideration, was suspended, and said resolutions adopted.

Mr. Anderson and Mr. Bradford were appointed to be of the committee named in the last of said resolutions.

Ordered that the clerk acquaint the house of re-

...sentatives therewith, and ask their concurrence therein.

A message from the house of represenatives by Mr. Campbell their clerk.

Mr. Speaker:

The house of representatives have adopted the following resolutions, in which they ask your concurrence:

Resolved, that a joint select committee be appointed to contract for stationary for the use of the general assembly during the present session.

Mr. Desha and Mr Cheatham are appointed to be of said committee on their part.

And then he withdrew,

On motion,

The rule of the senate requiring resolutions to lie upon the table one day for consideration, was suspended, and said resolution adopted.

Mr. Johnson was appointed to be of said committee on the part of the senate.

Ordered, that the clerk acquaint the house of representatives therewith.

Mr. Nelson presented the resignation of J. Brickey, a justice of the peace for Washington county, which was read and accepted.

Ordered, that the clerk transmit it to the house of representatives for their acceptance.

Mr. Bradford submitted the following resolutions:

Resolved, that so much of the governor's message as relates to the apportionment of representation in the general assembly, be referred to a joint select committee to consist of ten members on the part of the senate, and that they have leave to report by bill or otherwise.

Mr. Walker the following:

Resolved, that the senate meet the house of representatives in their hall on Saturday the 21st inst. at eleven o'clock A. M. for the purpose of electing a solicitor general for the 12th solicitorial district and a surveyor general for the 7th district: and

Mr. Brown the following:

Whereas: many mistakes and omissions have and are likely to occur in the enrolment of bills;

Therefore:

Resolved that the following be added to the rules for the government of the senate:

"That all bills of a public or general nature, enrolled in the senate, when reported by the committee of enrolments, shall be immediately and publicly read by the clerk, before they are presented to the speaker for his signature, and

Resolved by the general assembly of the state of Tennessee, that John Haywood and Robert L. Cobbs, Esquires, be requested to communicate as soon as practicable to this general assembly, what progress they have made in revising the public statutes of the state, with such remarks as they may think proper to make, explanatory of the plan of said work adopted by them, its probable magnitude and the time of its completion.

According to a rule of the senate, said resolutions lie upon the table one day.

Mr. Hall presented

A memorial of the trustees of Cumberland College, praying that the instructions given the senators & representatives in congress from this state, to use their best exertions to get the United States to relinquish her claim to the vacant and unappropriated soil south and west of the congressional reservation line, for the benefit of academies and common schools, be so amended as to include the colleges -- also, to be allowed to raise money by lottery, & that Cumberland College may be designated and called "The University of the State of Tennessee."

Ordered that said memorial be referred to the joint committee on education, and that the clerk transmit the same to the house of representatives & acquaint them therewith.

Received from the house of representatives,

A bill for adjourning the chancery court at Franklin.

A bill authorizing limited partnerships,

A bill to provide for the payment of the members, witnesses, &c. of a court martial for the trial of Gen. William Stone,

A bill for the relief of the citizens of Hawkins co. who purchased land from Thomas Johnson, being a part of two grants to James King.

A bill to incorporate the subscribers to the Union Insurance Company of Tennessee, and

A bill to compel owners of land to list them for taxation and for other purposes.

Which bills were severally read the first time and passed.

Mr. Frey introduced

A bill to make valid the returns of the free male inhabitants made to the secretary of state, and

Mr. Henderson

A bill to repeal an act entitled "an act directing certain papers to be read in evidence in suits concerning reservations taken under the late treaties with the Cherokee Indians:" passed November 30th, 1835.

Which bills were both read the first time and passed.

A message from the house of representatives by Mr. Campbell their clerk.

Mr. Speaker:

The house of representatives have adopted the following resolutions, in which they ask your concurrence:

Resolved,

That the senate meet the house of representatives in their hall on Thursday next, at twelve o'clock, for the purpose of electing a surveyor general for the seventh surveyor's district.

And then he withdrew.

According to the rules of the senate, said resolution lies upon the table one day.

and then the senate adjourned.

WEDNESDAY, OCTOBER 18, 1826.

Mr. McMeans presented

The returns of the clerks of county courts of the counties of Henry and Carroll, of the enumeration of the free male inhabitants of said counties.

Ordered,

That said returns lie upon the table.

Mr. Walker presented

A petition of Jacob Tipton, praying the passage of a law to authorize the register to make void a grant for 500 acres founded on entry 520 and issue a grant in lieu therof, on entry no. 233, as the first mentioned of said entries was made void before the issuance of the grant.

Ordered:

That said petition be referred to the committee on land claims.

The senate then took up and proceeded to the consideration of a resolution submitted on yesterday by Mr. Bradford, to appoint a joint select committee on so much of the governor's message as relates to the apportionmont of representation in the general assembly, and

A resolution submitted on yesterday by mr. Walker to elect a solicitor general for the twelfth solicitorial district and a surveyor general for the seventh surveyor's district, and also,

A resolution submitted by Mr. Brown on yesterday, requesting John Haywood & Robert L: Cobbs, Esquires, to report to this general assembly what progress they have made in the revisal of the public statutes of the state.

Which resolutions, on being severally read, were adopted.

Ordered:

That the clerk do by message acquaint the house of representatives with the adoption of said resol-

tions, and ask their concurrence therein

The Senate then took up and proceeded to the consideration of

A resolution submitted by Mr Brown on yesterday, to amend the rules for the government of the senate,

Which, on being again read, was adopted

The senate then took up and proceeded to the consideration of

A resolution received from the house of representatives on yesterday, proposing the election of a surveyor general of the seventh surveyor's district on to morrow.

Which resolution, on being again, read was non-concurred in.

Ordered:

That the clerk acquaint the house of representatives therewith.

A message from the house of representatives by Mr. Campbell their clerk.

Mr. Speaker:

The house of representatives have received, read, and ordered to be sent to the senate,

A report of the commissioners under the act entitled "An act for the relief of certain purchasers of land in the Hiwassee District," and they propose referring the same to a joint select committee, and have appointed Messrs. Turney, Huling, Fletcher and Fitzgerald to be of said committee on their part, in which they ask your concurrence.

And then he withdrew.

The said report was then read at the clerk's table, and, referred to a joint select committee.

Mr. Henderson and Mr. Bradford were appointed to be of the said committee on the part of the Senate

Ordered:

That the clerk acquaint the house of representatives therewith.

A bill to adjourn the chancery court at Franklin,

Was read the second time:

And the question was taken thereon:

Shall the said bill pass?

And determined in the negative.

There being Ayes 7, Noes 11.

The ayes and noes being required,

Those who voted in the affirmative, are	Those who voted in the negative, are
Mr. Speaker Foster,	Mr. Amis,
Bradford,	Anderson,
Cleveland,	Brown,
Frey,	Gass,
Henderson,	Hall,
Johnson &	Hughes,
Smartt—7	M'Clanahan
	McMeans,
	Nelson,
	Preston &
	Walker—11

And so the said bill was rejected.

Mr. Simpson, a member of the senate from the counties of White, Overton, Jackson and Fentress, appeared and took his seat.

Mr. Brown introduced

A bill for the relief of Agnes Jennings of Lincoln county.

Mr. Henderson

A bill to repeal the first section of an act making it the duty of the judges of certain judicial circuits to interchange ridings and for other purposes. passed Decr. 1, 1825.

Mr. Amis

A bill to amend the second section of an act passed November 21, 1825, and

Mr. Gass

A bill for the benefit of common schools.

Which bills were severally read the first time and passed.

Received from the house of representatives,

A bill to make legal certain proceedings in the county of Dyer,

A bill for the benefit of Alfred Hunter, late sheriff of Greene county,

A bill to annex Marion county to the 11th solicitorial district,

A bill further to provide for the occupants of the Western District,

A bill to lengthen the December term of Monroe county court,

A bill to divoree E. Dennis from her husband Azariah Dennis,

A bill for the relief of the second battalion of the 5th regiment T. M.

A bill supplemental to an act entitled an act for establishing offices for receiving of entries for the vacant land in the several counties lying north and east of the congressional reservation line,

A bill to amend an act entitled an act to incorporate the inhabitants of the town of Winchester, Franklin county, and

A bill to make good all grants issued by the state of North Carolina, on entries and warrants, west of Brown's line.

Which bills were severally read the first time and passed.

A bill to make valid the returns of the free male inhabitants made to the secretary of state, and

A bill for the relief of the citizens of Hawkins county, who have purchased lands of Thomas Johnson.

Were both read the second time and passed.

A message from the house of representatives by Mr. Campbell their clerk.

Mr. Speaker:

The house of representatives concur in your resolution, to appoint a joint select committee to contract for the job printing during the preesnt session, and have appointed Messrs, Dulaney, Perkins, Buchanan

and Tunnell to be of said committee on their part.

They also concur in so much of your resolution as proposes to go into the election of a solicitor general for the twelfth solicitorial district on Saturday next, but they nonconcur in that part of your resolution proposing to elect a surveyor general for the seventh surveyor's district on the same day, and they insist upon your concurrence in their resolution to elect said surveyor general on to morrow.

And then he withdrew.

The insisting message from the House of representatives was then read and concurred in.

Ordered that the clerk acquaint the house of representatives therewith.

And then the senate adjourned.

THURSDAY, OCTOBER 19, 1826.

Mr. Nelson presented

The return of the clerk of Washington county, of the number of captains, companies and justices of the peace in said county, also

The returns of the clerks of the county courts of the counties of Washington and Carter, of the number of free male inhabitants in said counties.

Ordered, that the first mentioned of said returns be refered to the committee on justices of the peace, and the two last be laid upon the table.

Mr. Gass presented

The returns of the clerks of the county courts of the counties of Greene and Jefferson, of the number of free male inhabitants of said counties.

Ordered, that said returns lie upon the table.

Mr. Smartt presented

A petition of sundry citizens of the counties of Warren and Bledsoe, praying the passage of a law authorizing Jesse Savage to open a turnpike road on what is called Hill's road, across Cumberland mountain.

Ordered, that said petition lie upon the table.

The speaker laid before the senate

The memorial of George Gordon, praying an extension of his charter for the turnpike road from his furnance on *W*hite's creek to George Dawson's also; to be allowed the same rates of toll that are allowed to Jesse Lincoln, Thomas Brown und Robt. Burks, and that new commissioners be appointed on said road.

Ordered, that said memorial be referred to the committee on internal improvements.

Mr. Johnson, from the joint select committee appointed to contract for stationary for the use of the general assembly during the present session, made the following report:

They have performed the duties assigned them, and after diligent inquiry from the best sources of information, the committee accepted the proposal of *R*obertson and Elliott, to furnish the stationary necessary for the use of the present session of the general assembly, hereto annexed,

And beg leave to recommend the adoption of the following resolution.

Resolved, that the clerks procure the stationary for the use of the legislature at the present session, from the firm of Robertson and Elliott.

Respectfully submitted,

JAS. JOHNSON, Chm'n.

We agree to furnish the legislature with the following articles at the annexed prices.

Letter paper, of good quality, per ream,		$6,50
Fools cap,		6,50
Quills.	per bunch,	75
*W*afers,	per lb.	2,25
Sealing wax,		2,00
Ink,	per qt.	50
Sand	per lb.	25
Candles		16

Wood per cord 2,00

ROBERTSON & ELLIOTT.

October 18, 1826.

The report was read concurred in and ordered to be sent to the house of representatives.

Mr. Frey submitted the following resolution.

Resolved, by the general assembly of the state of Tennessee, that military warrant No. 649 for 640 acres, issued to *Wm.* Foster, dated. 27th Oct. 1820, be referred to the commissioner of West Tennessee for adjudication, and if found to be a good warrant, to issue a duplicate thereof as in other cases, to the rightful assignee, which may be located on any vacant and unappropriated land south and west of the congressional reservation line.

According to a rule of the senate, said resolution lies upon the table one day.

In conformity with a joint resolution heretofore adopted, this day at 12 o'clock the speaker and gentlemen of the senate repaired to the hall of the house of representatives for the purpose of electing a surveyor general for the seventh surveyors district and were invited to seats within the bar of the house.

The two houses then proceeded, by ballot to the election of a surveyor general of the seventh surveyors district; and upon collecting and counting out the ballots, upon the first balloting. The speaker of the senate, declared in presence of both branches of the general assembly that *Augustine* W. Bumpass was duly elected surveyor general of the seventh surveyors district.

Whereupon, the speaker and gentlemen of the senate, returned to their own chamber and the speaker resumed the chair.

Mr. Smartt introduced, a bill to authorize Jesse Savage to open a turnpike road.

Mr. Anderson a bill to amend an act, entitled an act to compel the agents of the bank of the state to loan sums not less than ten dollars and for other purposes, and

Mr. M'Means a bill to repeal the second section of an act passed 1817 as respects courts of justice taxing defendants with cost,

Which bills were severally read the first time and passed.

Received from the house of representatives

A bill to alter the time of holding the county courts of Lincoln county.

A bill for the benefit of owners of public ferries.

A bill for the relief of Thomas Powers and others.

A bill to amend an act, entitled an act, directing the manner a change of venue should be obtained passed Dec. 6, 1825.

A bill for the relief of the heirs of John R. Collier dec'd

A bill to reduce the price of land in the Hiwassee district, and

A bill supplemental to an act, entitled an act to annex part of Marion county to Franklin county.

Which bills were severally read the first time and passed.

A bill to annex Marion county to the 11th solicitorial district.

A bill to amend the act passed 20th Oct. 1821 entitled an act to incorporate the inhabitants of the town of Winchester.

A bill for the benefit of Alfred Hunter late sheriff of Greene county.

A bill for the benefit of the 2d battalion of the 5th regiment of Tennessee Militia.

Were severally read the second time and passed.

A bill to make valid the returns of the free male inhabitants, made to the secretary of state,

Was read the third time and passed.

A message from the House of Representatives by Mr. Campbell their clerk:

Mr. Speaker,

The house of representatives have concurred in your resolutions that John Haywood and Robert L. Cobbs Esq report to this general assembly what

progress they have made in the revisal of the public statutes of the state; and that the joint standing committees of the last session be the joint standing committees of the present session.

They have adopted the following resolutions, in which they ask your concurrence.

Resolved, that the senate, meet the house of representatives in their hall on Saturday the 21st inst. for the purpose of electing a solicitor general for the 13th solicitoral district a judge for the 6th judicial circuit and an entry taker for Lincoln county.

Resolved, that John T. Neal, Wade Nowlen and Wm. Lemmons, be appointed justices of the peace for Bedford county.

Resolved, that a joint select committee be appointed to apportion the representation of this state for the ensuing seven years, agreeably to the constitution of the state, and have appointed Messrs. Dulaney, Hope, Turney, Tunnell, Tipton, M'Farland, Stuart, Massengill, Kelly, Batson, Buchanan, Douglass, Huling, Lytle, Perkins, Moore, Thomas, Crisp, Fitzgerald and M'Iver, to be of said committee.

And then he withdrew.

According to a rule of the senate, said resolutions lie upon the table one day.

And then the senate adjourned.

FRIDAY, OCTOBER 20, 1826.

Mr. Anderson from the joint select committee, appointed to contract for the job printing, at the present session, made the following report:

The committee appointed to contract for such job printing as the present session of the general assembly may require, have performed the duty assigned; They received proposals from the differnnt printers in this place, and after comparing them, agreed to

the proposal of John S. Simpson, believing it to be the best offered to the committee.

Respectfully submitted,

JAMES ANDERSON, Chairman.

The said report, was read and concurred in.

Ordered, that the clerk, transmit it to the house of representatives for their concurrence.

The senate took up and proceeded to the consideration of a resolution submitted by *Mr.* Frey on yesterday referring military warrant No. 649 for adjudication.

On motion of Mr. Walker,

Ordered, that said resolution lie upon the table indefinitely.

The senate then proceeded to the consideration of a resolution received from the house of representatives on yesterday, appointing justices of the peace for Bedford county.

On motion of Mr. Bradford,

Ordered, that said resolution lie upon the table indefinitely.

The senate then took up, and proceeded to the consideration of a resolution received from the house of representatives on yesterday, proposing to go into the election of a judge of the sixth judicial circuit, a solicitor general for the 13th solicitorial district, and an entry taker for Lincoln county on tomorrow,

Which resolution, on being again read was concurred in.

Ordered, that the clerk acquaint the house of representatives therewith.

The senate then took up and proceeded to the consideration of a resolution, received from the house of representatives on yesterday, proposing the appointment of a joint committee to apportion the representation in the general assembly for the ensuing seven years.

Which resolution, on being again read was concurred in.

Mr. Hall, Mr. Brown, Mr. Frey, Mr. Johnson, Mr. Bradford, Mr. M'Clanahan, Mr. M'Means, Mr. Walker, Mr. Nelson, Mr. Anderson and Mr. Henderson, were appointed to be of said committee on the part of the senate.

Ordered, that the clerk acquaint the house of representatives therewith.

Mr. Amis submitted the following resolution:

Resolved, by the general assembly of the state of Tennessee; That Abraham McClelland, William Rockhold and George Gammon, be, and they are hereby appointed justices of the peace for Sullivan county.

According to a rule of the senate said resolution lies upon the table one day.

A bill to annex Marion county to the 11th solicitorial district,

Was read the third and last time passed and

Ordered, to be engrossed.

Received from the house of representatives

A bill to repeal a part of the second section of an act, supplemental to an act, to amend an act, to condence and bring into one view the revenue laws of this state and to amend the same passed Nov. 22d 1817.

Which bill was read the first time.

Mr. M'Means offered a proviso to said bill, which was received, and said bill as amended passed the first time.

Mr. Bradford submitted the following resolution.

Resolved, that the public printer be furnished with a copy of such laws as may be passed during the present session of the general assembly, as early as practicable after their passage, that the same may be published with dispatch.

According to a rule of the senate said resolution lies upon the table one day.

A message from the house of representatives by Mr. Campbell their clerk:

Mr. Speaker,

The house of representatives have adopted the following resolution in which they ask your concurrence.

Resolved, by the general assembly of the state of Tennessee; That the commissioner of west Tenessee proceed to adjudicate grant No. 2940 and 2783, and grant 47, which were referred to him by a resolution of the last session of the general assembly, the document whereof, shewing the amount of interference not being filed until the meeting of the present session.

And then he withdrew.

According to a rule of the senate said resolution, lies upon the table one day.

Mr. Brown introduced a bill to authorize a new jail to be built in and for Lincoln county, and

Mr. M'Clanahan a bill to regulate the change of venue in civil and criminal cases, and for other purposes,

Which bills were both read the first time and passed.

Received from the house of representatives

A bill supplemental to an act entitled an act for ascertaining the method of proving book accounts, passed at Newbern 12th Dec. 1754.

A bill to establish annual musters in the regiment of cavalry attached to the 4th brigade of Tennessee Militia.

A bill to divorce Sally Pickett from her husband Wm. Pickett.

A bill to authorize the clerks of the county and ircuit to do certain business at their own houses.

A bill to regulate elections for field officers in the ounty of Dickson.

A bill to authorize the clerks of the county and ircuit courts of Morgan county to keep their offices at their own houses.

A bill for the relief of Jonathan Backman.

A bill directing the register of the western district to issue grants in certain cases.

A bill to cause, cases now pending in the circuit court of Marion county for lands lying in Franklin county to be transferred to the circuit court of Franklin county.

A bill to compel entry takers to pay over monies, and for other purposes.

A bill for the benefit of Samuel Buchanan.

A bill to divorce Daniel Bucker from his wife Polly Bucker.

A bill for the benefit of Jacob Rect of Franklin county, and

A bill for the relief of John Laird,

Which bills were severally read the first time and passed.

A bill to legalize certain proceedings and elections in Dyer county.

A bill supplemental to an act entitled an act to establish offices for receiving of entries for the vacant and unappropriated land in the several counties north and east of the congressional reservation line,

And, a bill to lengthen the Dec. term of Monroe county court were severally second time & passed.

Mr. Amis withdrew for amendment,

A bill for the relief of the citizens of Hawkins county who purchased land of Thomas Johnson, &c.

And then the senate adjourned.

SATURDAY, OCTOBER 21, 1826.

Mr. Preston presented a return of the clerk of the county court of M'Minn county, of the number of captains companies and justices of the peace in said county.

Ordered, that said return be referred to the committee on justices of the peace.

The senate took up and proceeded to the consideration of a resolution, received from the house of representatives on yesterday referring grants No. 2940, 2783 and 47 for adjudication.

On motion of Mr. M'Means,

Ordered. that said resolution be referred to the committee on land claims.

The senate then took up, and proceeded to the consideration of a resolution submitted by Mr. Amis on yesterday, appointing justices of the peace for Sullivan county,

Which on being again read, was adopted.

Ordered, that the clerk acquaint the house of representatives therewith, and ask their concurrence therein.

The senate then took up and proceeded to the consideration of a resolution submitted by Mr. Bradford on yesterday, requiring copies of the acts to be furnished the public printer as soon after their passages as practicable.

Mr. Bradford moved to amend said resolution by adding the following words thereto:

And that the public printer publish the same number of the acts and journals of the present session as of the last, and that they be distributed in the same proportion as the acts and journals of the last session, which amendment was agreed to by the senate.

Ordered, that the clerk acquaint the house of representatives therewith, and ask their concurrence therein.

Mr. Walker introduced a bill for the relief of Andrew Donoven.

Ordered, that said bill and documents be referred to the committee on land claims,

Mr. Brown introduced a bill to provide for the division and distribution of the estate of deceased persons, and

A bill authorizing suits to be brought against one of several executors or administrators in certain cases, and

Mr. Walker a bill to authorize the county court of Hardeman county to lay a tax to complete the building of the court house in the town of Bolivar,

Which bills were severally read the first time and passed.

Mr. Amis returned a bill for the relief of the citizens of Hawkins county, who have purchased land of Thomas Johnson &c. and moved to amend said bill by reinstating the preamble thereto, which had been stricken out in the house of representatives, which was agreed to by the senate.

The said bill, being on its third and last reading in both houses.

Ordered, that the clerk do by message acquaint the house of representatives therewith and ask their concurrence therein.

A message from the house of representatives by Mr. Campbell their clerk:

Mr. Speaker,

The house of representatives have adopted the following resolution in which they ask your concurrence.

Resolved, by the general assembly of the state of Tennessee,

That Henry D. Jamison and Robert *W*alker be, and they are hereby appointed, justices of the peace for the county of Rutherford,

And then he withdrew.

On motion of Mr. McClanahan,

The rule of the senate requiring resolutions to lie upon the table one day was suspended, and said resolution was then read and concurred in.

Ordered, that the clerk acquaint the house of representatives therewith.

In conformiiy with a joint resolution heretofore adopted by both branches of the general assembly, the speaker and gentlemen of the senate repaired to the hall of the house of representatives, for the purpose of going into the several elections set apart for this day, and were invited to seats within the bar of the house.

The two houses first proceeded by ballot to the election of a judge of the sixth judicial circuit, and upon collecting and counting out the ballot by the tellers,

The speaker of the senate pronounced, in presence of both branches of the general assembly, that William E. Kennedy, Esquire, was duly and constitutionally elected judge of the sixth judicial circuit.

The two houses next proceeded, by ballot, to the election of a solicitor general for the twelfth solicitorial district, and upon collecting and counting out the ballots, upon the third balloting,

The speaker of the senate pronounced that Henry Dunn, Esq. was duly elected solicitor general of the twelfth solicitorial district:

The two houses next proceeded by ballot to the election of a solicitor general for the thirteenth solicitorial district, and upon collecting and counting out the ballots, upon the third ballotting, the speaker of the senate pronounced that Hugh W. Dunlap, Esqr. was duly elected solicitor general for the 13th solicitorial district.

The two houses next proceeded, by ballot, to the election of an entry take for Lincoln county, and upon collecting and counting out the ballots,

The speaker of the senate pronounced that Thomas. H. Williams was duly elected entry taker for Lincoln county.

Whereupon:

The speaker and gentlemen of the senate returned to their own chamber, and the speaker resumed the chair,

And then the senate adjourned.

MONDAY, OCTOBER 23, 1826.

Mr. Henderson presented a petition of A. Gentry of Monroe county, stating that he became possessed of two tracts of land in the Hiwassee district, purchased by Thomas White at the land sales, and that some time in May last he was dispossessed of said lands at the suit of the "Bold Hunter," an Indian reservee, and praying the passage of a law to refund to

him the money paid and expended by him for said lands.

Ordered, that said petition be referred to the joint select committee appointed to take into consideration the report of commissioners appointed to compromise the suits brought by Indian reservees against purchasers at the Hiwassee land sales.

The speaker laid before the senate

A letter from Thomas Crutcher Esq. treasurer of West Tennessee, stating that he has been prevented from carrying into execution the act of the last session of the general assembly, directing the sale of the lands reserved for the use of common schools, by a compulsory process of injunction issued from the chancery court, and asking further instruction from the general assembly.

The Speaker also laid before the Senate

A report from R. L. Cobbs and John Haywood, Esquires, made in obedience to a joint resolution of this general assembly, stating the progress made by them in the revisal of the public statutes of this state, the mode pursued by them in the execution of said work—and the probable time of its completion.

Ordered, that said report be transmitted to the house of representatives.

Mr. Brown submitted the following resoslution:—

Resolved, that a joint select committee be appointed to take into consideration the letter of the treasurer of West Tennessee, this day presented, concerning the sale of school lands.

On motion of Mr. Brown,

The rule of the senate, requiring resolutions to lie upon the table one day, was suspended,

And said resolution adopted:

Mr. Brown, *Mr.* Bradford. *Mr.* Anderson, Mr. McMeans and *Mr.* Frey were appointed said committee on the part of the senate.

Ordered, that the clerk acquaint the house of

representatives therewith and ask their concurrence therein.

Received from the House of Representatives,

A bill supplemental to an act for the relief of Thomas Taylor—passed October twenty ninth, 1825.

A bill supplemental to an act to amend an act supplemental to an act passed November twenty second, 1817,

A bill to point out the duty of justices of the peace in granting warrants in suits of damages for sums of 20 dollars and under,

A bill to amend an act entitled "an act to fix permanently the seat of justice in Harden county—passed Oct. 5, 1825.

A bill to change the time of mustering the regiment of cavalry attached to the tenth brigade of Ten. militia.

A bill to provide for the improvement of the internal navigation of the state of Tennessee.

A bill regulating damages upon inland bills of exchange,

A bill for the relief of Robert Dickson, administrator of Patrick O'Callaghan deceased.

A bill to prohibit clerks of the superior and inferior courts of law and equity of this state, from becoming security in suits determinable in the courts to which they act as clerks respectively,

A bill for the relief of Jesse Mayfield of McMinn county, and

A bill to incorporate the town of Brownsville,

Which bills were severally read the first time and passed

A message from the house of representatives by Mr. Campbell their clerk.

Mr. Speaker:

The Speaker of the House of Representatives did this day sign an enrolled bill, entitled

An act to legalize returns made to the secretary's office since the 1st of September 1826, of the free male inhabitants of this state.

And then he withdrew.

The Speaker of the Senate signed said enrolled bill.

Ordered that the clerk deposit it in the office of the secretary of state.

Mr. Walker introduced

A bill to establish a board for internal improvements in this state,

Mr. Gass

A bill concerning public grist mills,

Mr. Nelson

A bill for the relief of Elijah Embree, and

Mr. Anderson

A bill to amend an act entitled "an act to amend and revise the Mititia Laws of this state passed 1825.

Which bills were severally read first timd and passed.

A message from the house of representatives by Mr. Campbell their clerk,

Mr. Speaker;

The house of representatives concur in the amendment by you proposed to

A bill for the relief of the citizens of Hawkins county, who have purchased land of Thomas Johnson &c.

They have apopted the following resolution, in which they ask your concurrence.

Resolved, that the senate meet the house of representatiues in their hall on Monday next, in joint committee of the whole of both houses, for the purpose of taking into consideration the propriety of recommending to the good people of this state, at the next general election to vote for or against the call of a convention.

And then he withdrew.

according to a rule of the senate, said resolution lies upon the table one day.

The senate again took up on its third and last reading,

"A bill for the relief of the citizens of Hawkins county, who have purchased land of Thomas Johnson, &c.

Mr. Amis moved a further amendment to said bill, which was received by the senate.

Ordered that the clerk do by message acquaint the house of representatives therewith, and ask their concurrence therein.

Mr. Walker submitted the following resolution,

Resolved by the general assembly of the state of Tennessee,

That Peter G Rivers, Edward Bullison, Littlebury Mason, Lewis Bull, Robert Box and James Chisum be, and they are hereby appointed justices of the peace for Hardeman county.

According to a rule of the senate, said resolution lies upon the table one day.

And then the senate adjourned.

TUESDAY, OCTOBER 24, 1826.

The senate took up and proceeded to the consideration of a resolution received from the house of representatives on yesterday, proposing to go into joint committee of the whole of both houses upon the subject of a call of convention.

Which resolution was again read, and

On motion of Mr. Walker,

Ordered to lie upon the table indefinitely.

The senate then took up and proceeded to the consideration of

A resolution submitted by Mr. Walker on yesterday, appointing justices of the peace for Hardeman county.

Which resolution was then read and adopted.

Ordered, that the clerk acquaint the house of rep.

resentatives therewith and ask their concurrence therein.

Mr. McMeans presented the resignation of Lucas Kennedy, Esq. solicitor general of the 16th solicitorial district.

Which was read and accepted.

Ordered, that the the clerk transmit it to the House of Representatives for their acceptance.

Mr. Walker submitted the following resolution:

Resolved by the general assembly of the state of Tennessee,

That Michael Beavers be, and he is hereby authorized to enter certified warrant no. 3569 for 25 acres issued by the commissioner of land claims on the 8th day of *March*, 1826, on any vacant and unappropriated, south and west of the congressional reservation line.

According to a rule of the senate, said resolution lies upon the table one day.

A message from the house of representatives by Mr. Campbell their clerk.

Mr. Speaker:

The house of representatives concur in your resolution, that the public printer be furnished with a copy of the act as soon after their passage as practicable, &c.

They also concur in your resolution, referring the letter of the treasurer of West Tennessee, concerning the sale of school lands to a joint select committee. and have appointed Messrs. Parsons, Camp, Turney, *Martin*, Fletcher, Kincaid, Gibbs, Frazier, *White* and Hardin to be of said committee on their part.

They have received and accepted the resignation of Ed D. Hicks, a justice of the peace for Dickson county.

And then he withdrew.

The said resignation was then read and accepted.

Mr. McMeans introduced

A bill for the relief of John Pavatt of Humphrey county.

Mr. Hall

A bill to change the name of the person therein mentioned.

Mr. Johnson

A bill to authorize the drawing of a lottery for the benefit of Samuel Hogg, and

Mr. Nelson

A bill for the relief of the clerks of the circuit and county courts of Washington county.

Which bills were severally read the first time and passed.

Received from the house of representatives,

A bill relative to land sold in the Western District for taxes due for 1824.

A bill supplemental to an act, regulating the mode of licensing attornies at law.

A bill for the due extension of justice to execution creditors.

A bill to authorize a lottery for the improvement of Forked Deer River,

A bill to establish academies in the counties of arion and Bledsoe,

A bill for the relief of Joshua Dillon and others,

A bill for the relief of William Scott, and

A bill to amend the laws now in force, relative to merchants and pedlars' licenses.

Which bills were severally read the first time and passed.

Received from the house of representatives,

A bill to compel prosecutors to pay costs in certain cases.

Which bill was read the first time and rejected.

A bill authorizing the building of a new jail in Lincoln county.

A bill supplemental to an act to annex part of arion county to the county of Franklin, and

A bill for the relief of Elijah Embree and others,

Were severally read the second time and passed.

A bill for the relief of the second battalion of the Fifth Regiment of the Militia of this state—and

A bill to amend an act passed October 20th, 1821, entitled "An act to incorporate the inhabitants of the town of Winchester in the county of Franklin,

Were both read the third and last time, passed, and

Ordered to be engrossed.

And then the senate adjourned.

WEDNESDAY, OCTOBER 25, 1826.

Mr McMeans presented

A return of the clerk of the county court of Weakly county, of the number of free male inhabitants in said county.

Ordered, that the said return lie upon the table.

The senate took up and proceeded to the consideration of

A resolution submitted by Mr. Walker on yesterday, authorizing Michael Beavears to enter a certificate warrant of 25 acres.

Which resolution, on being again read, was adopted.

Ordered, that the clerk acquaint the House of Representatives therewith, and ask their concurrence therein.

Mr. McClauahan submitted the following resolution;

Resolved by the general assembly of the state of Tennessee,

That Andrew Gass, of Dandridge, be, and he

s hereby appointed a notary public for the county of Jefferson.

Mr. Cleveland the following:

Resolved by the general assembly of the state of Tennessee,

That our senators in congress be instructed, and our representatives requested, to continue their exertions in trying to procure from the United States a relinquishment of their claim to the vacant & unappropriated land lying south and west of the congressional reservation line, for the use of academies and common schools, agreeably to the memorial addressed to the Congress of the United States, by the General Assembly of this state at its last session.

Resolved, that the governor furnish each of our senators and representatives in congress with a copy of the above resolution.

According to a rule of the senate, said resolution lies upon the table one day.

Received from the house of representatives,

A bill to provide for the registration of grants, deeds, &c.

A bill to authorize Matthew W. Wright to build a bridge.

A bill directing the manner of loaning the money of the Bank of the State of Tennessee in the different counties,

A bill to amend the practice in chancery courts, and

A bill to authorize the treasurer of East Tennessee to receive certain monies,

Which bills were severally read the first time and passed.

A bill for the relief of John Pavatt of Humphreys county.

A bill to alter the name of the person therein mentioned,

A bill to amend an act entitled "an act to compel

the agents of the bank of the state to loan sums not less than ten dollars,

A bill to incorporate the town of Brownsville .

A bill to cause cases now pending in the circuit court of Marion county, for lands lying in the county of Franklin, to be transferred to the circuit court of Franklin county.

A bill for the benefit of Jacob Rick of Franklin county, and

A bill supplemental to an act for the relief of Thomas Taylor—passed October twenty nine, 1825,

Were severally read the second time and passed.

A bill to provide for the trial of the civil causes on the docket of the county court of Monroe county,

Was read the third and last time, passed and

Ordered to be engrossed.

Received from the house of representatives,

A bill to prohibit sheriffs from executing certain process,

Which bill was read the first time and rejected.

Mr. Henderson introduced

A bill directory to the entry taker of the Hiwassee District.

Which was read the first time and passed.

Mr. McMeans withdrew for amendment,

A bill to alter the times of holding the county courts of McNairy county,

And then the senate adjourned.

THURSDAY, OCTOBER 26, 1826.

Mr. Nelson presented

A petition of Philip Bell, a free man of color of Washington county, praying the passage of a law to authorize him to prove his account by his own oath, and granting such other privileges of a citizen as may seem right and proper.

Ordered that said petition be referred to the committee of propositions and grievances.

Mr. Preston presented

A petition of Samuel McConnell of McMinn county, stating that he became purchaser at the Hiwassee land sales, and by assignment of several tracts of land in said district, and subsequently he was dispossessed of said land, at the suit of John Hildebrand, an Indian reservee, praying that the money paid by him for said land be refunded, together with the sum by him expended in defending said suits, and such other relief as may seem right and just from an investigation of the documents accompanying said petition.

Ordered, that said petition and documents be referred to the joint select committee appointed to take into consideration the report of commissioners appointed to compromise suits brought by Indian reservees against purchesers at the Hiwassee land sales.

The senate took up and proceeded to the consideration of a resolution submitted by *Mr.* M'Clanahan on yesterday, appointing Andrew Gass a notary public for Jefferson county,

Which on being again read was adopted.

Ordered, that the clerk acquaint the house of representatives therewith, and ask their concurrence therein.

The senate then took up and proceeded to the consideration of a resolution, submitted by Mr. Cleveland on yesterday instructing our senators and requesting our representatives on the subject of the vacant land south and west of the congressional reservation line.

And on said resolution being again read,

Mr. Hall moved that it be referred to the joint select committee on the memorial of the trustees of Cumberland College.

And the question was taken thereon,

And determined in the affirmative,

There being ayes 14, noes 5.

The ayes and noes being required.

Those who voted in the affirmative are,	Those who voted in the negative are,
Mr. Speaker Foster,	Mr. Bradford,
Amis,	Cleveland,
Anderson,	Henderson,
Brown,	Nelson and
Frey,	Preston—5.
Gass,	
Hall,	
Hughes,	
Johnson,	
M'Clanahan,	
M'Means	
Simpson,	
Smartt and	
Walker—14.	

And so said resolution was referred.

A message from the house of representatives by Mr. Campbell their clerk:

Mr. Speaker,

The house of representatives concur in your resolution appointing Andrew Gass notary public for the county of Jefferson.

They have adopted the following resolution in which they ask your concurrence.

Resolved, by the general assembly of the state of Tennessee, That a joint select committee be appointed to examine and report to this general assembly the true state and condition of the bank of the state of Tennessee at Nashville.

They have also, received, read, and ordered to be transmitted to the senate a letter from John Brown and Robert Burks proprietors of the Cumberland turnpike road also, the report of the commissioners on said road.

And then he withdrew.

According to a rule of the senate the above resolution lies upon the table one day.

The letter of John Brown and Robert Burks to-

gether with the report of the commissioners on the Cumberland turnpike road was read at the clerks table.

On motion of Mr. Simpson,

Ordered, that said letter and report lie upon the table.

Mr. Benjamin Reynolds the senator from the county of Maury appeared and took his seat.

Mr. Walker introduced a bill for the relief of Isabella Biles.

Mr M'Means a bill for the relief of Banks *M.* Burrow of Carroll county, and

Mr. Cleverland a bill to repeal the 24th chapter of the acts of 1825,

Which bills were severally read the first time and passed.

A bill relative to land sold in the western district for taxes due 1824.

Was read the second time and passed.

Received from the house of representatives,

A bill concerning cost in criminal prosecutions.

A bill to carry into effect the laws against usury.

A bill for the relief of clerks and solicitors, and

A bill for the relief of Jason Thompson,

Which bills were severally read the first time and passed.

Received from the house of representatives

A bill concerning insolvent debtors, which was read the first time and rejected.

A message from the house of representatives by Mr. Campbell their clerk.

Mr. Speaker:

The house of representatives concur in the additional amendments proposed by the senate to a bill for the relief of the citizens of Hawkins county, who have purchased land of Thomas Johnson, &c.

And then he withdrew.

The said bill as amended was then read the third and last time passed and

Ordered, to be engrossed.

And then the senate adjourned.

FRIDAY, OCTOBER 27, 1826.

Mr. Gass presented the resignation of John Morris a justice of the peace for Greene county, which was read and accepted.

Ordered, that the clerk carry the said resignation to the house of representatives for their acceptance.

Mr. Anderson presented a petition of sundry citizens of Knox county, praying to have the order of the commissioners appointed to cause to be removed the obstructions in the Holston, requiring them to remove their fish traps and dams by the first of January, be suspended until a more clement season of the year.

Ordered, that said petition lie upon the table,

Mr. Hall from the joint select committee appointed on so much of the governors message as relates to the apportionment of representation in the general assembly for the ensuing seven years.

Reported,

A bill to apportion the representation in the general assembly of this state,

*W*hich bill was read the first time and passed.

The senate took up and proceeded to the consideration of

A resolution received from the house of representatives on yesterday, proposing to appoint a joint select committee to examine and report the true situation of the bank of the state at Nashville.

Which resolution was again read,

Mr. Henderson moved to nonconcur in said resolution.

And the question was taken thereon.

And determined in the affirmative.

And so said resolution was non-concurred in.

Ordered, that the clerk acquaint the house of representatives therewith.

A bill for the relief of Alfred Hunter, late sheriff of Greene county,

*W*as read the third and last time.

And the question was taken thereon:

Shall the said bill pass?

And determined in the negative.

There being Ayes 1, Noes 18.

The ayes and noes being required,

Those who voted in the affirmative, are	Those who voted in the negative, are
Mr. Gass,	Mr. Speaker Foster,
	Amis,
	Anderson,
	Brown,
	Cleveland,
	Frey,
	Hall,
	Henderson,
	Hughes,
	Johnson
	M'Clanahan
	McMeans,
	Nelson,
	Preston
	Reynolds,
	Simpson.
	Smartt &
	Walker—18

And so the said bill was rejected.

Mr. Nelson submitted the following resolution:

Resolved, that the secretary of state present the public printers with a caption of all the laws of a general nature that pass during the present session, which go into effect from their passage; whose duty it shall be to insert said captions in their respective papers for one month; also, to furnish captions to those who are not public printers, with a request to publish the same: and

Mr. Anderson the following:

Resolved by the general assembly of the state of Tennessee,

That the treasurer of West Tennessee be required to report to this general assembly the amount of money received by him from the register of the Western District, on account of the sales of the military land warrants authorized by an act passed at Murfreesborough, 1825.

According to a rule of the senate, said resolutions lie upon the table one day,

Mr. Simpson introduced

A bill for the relief of Jordan Harris,

Mr. *Henderson*

A bill for the benefit of Philip I. Smith, and

Mr. Bradford

A bill to provide for honest claimants, and to prevent speculations in county claims

Which bills were severally read the first time and passed.

Received from the house of representatives,

A bill to dissolve the bonds of matrimony between William Dun and his wife Polly, and

A bill to authorize clerks to issue a separate execution for costs,

Which bills were both read the first time and rejected.

Received from the house of representatives,

A bill to legalize the official acts of John Hannah, Esqr.

A bill for the relief of Joshua Hadley,

A bill to authorize James Rogers to open a turnpike road,

A bill for the relief of Captain Crawford of Maury county,

A bill for the relief of the representatives of John Carter,

A bill to legalize the acts of John Brecker, deputy sheriff of Washington county,

A bill for the benefit of John Proffert of Sullivan county, and

A bill for the benefit of John the reputed son of John Stafford of Jackson-county.

Which bills were severally read the first time and passed.

Received from the house of representatives,

A bill for the relief of Arthur McFarland,

Which was read the first time, and

On motion of Mr. Reynolds,

Ordered that said bill be referred to the committee on claims.

A bill concerning public grist mills,

Was read the second time, and

On motion of Mr. Bradford,

Ordered, that said bill lie upon the table until the end of the present session of the general assembly.

A bill to provide for the distribution of the estate of deceased persons,

Was read the second time and passed.

A bill relative to lands sold in the Western District for taxes due for 1824.

Was read the third and last time passed, and

Ordered to be engrossed.

Mr. Preston withdrew for amendment,

A bill for the benefit of owners of public ferries, and

Mr. Smartt,

A bill for the relief of Thomas Powers and others.

And then the senate adjourned.

SATURDAY, OCTOBER 28, 1826.

A quorum of the members not being present,

On motion of Mr. McMeans,

The senate adjourned till Monday morning, nine o'clock.

MONDAY, OCTOBER 30, 1826.

[Mr. Nelson presented]

A petition of sundry citizens of Washington county, praying the passage of a law vesting the title of one hundred and fifteen acres of land in Jacob Hunter, being a tract purchased by him from the heirs of Jonathan Watson under certain limitations.

Ordered, that said petition be referred to the committee of land claims.

Mr. Henderson presented.

A petition of sundry citizens of the Hiwassee District, stating that they became purchasers of sundry tracts of land at the Hiwassee land sales, that subsequently their land has been claimed by James McIntosh an Indian reservee: praying that the state may defend the suits brought against them, and pay all cost that may accrue on said suits, and provide remuneration for them in all their losses.

Ordered, that said petition be referred to the joint select committee on Indian resesvations.

The speaker laid before the senate,

A memorial of Jonathan Pennywell and William Pennywell, of the district of Marlborough and state of South Carolina, praying the passage of a law granting to them the moiety of the donation made to the state of Tennessee by Mason Lee, their reputed father, late of South Carolina,

The said memorial was read, and

Ordered that said memorial be sent to the house of representatives.

The speaker also laid before the senate the return of the clerk of the county court of Dyer county of the number of captains, companies and justices of the peace in said county.

Ordered that said return be referred to the committee on captains, companies & justices of the peace.

Mr. Johnson from the committee on enroiled bills reported

That the committee had examined and found to be truly enrolled

An act for the relief of the citizens of Hawkins county, who have purchased lands of Thomas John-

sol., it being part of two grants to James King 10100 of which is within the bounds of said county.

An act to annex Marion county to the 11th solicitorial disirict.

An act relative to land sold in the *Western* District for taxes due 1824.

An act to amend an act passed twentieth October, 1821, entitled "*An* act to incorporate the town of *Winchester* in the county of Franklin.

An act for the relief of the second battalion of the Fifth Regiment of Tennessee Militia, and

An act to provide for the trial of the civil causes on the docket of the county court of Monroe county.

The speaker signed said enrolled bills.

Ordered, that the clerk transmit said enrolled bills to the house of representatives, to receive the signature of their speaker.

The senate took up and proceeded to the consideration of

A resolution submitted by *Mr.* Nelson on Friday last, requiring the captions of public acts to be published in the newspapers,

Mr. Reynolds moved to amend said resolution by instructing the committee on job printing to ascertain the expense of one or three insertions of all public acts in the papers of the public printers, and that they report by bill or otherwise.

The said amendment was agreed to by the senate,

And said resolution, as amended, was then adopted.

Ordered, that the clerk inform the house of representatives therewith, and ask their concurrence therein.

The senate then took up and proceeded to the consideration of

A resolution submitted by Mr. Anderson on Friday last requiring the treasurer of West Tennessee to report the amount of money received from the regis

ter of the Western District an account of certificate warrants sold by him.

Which, on being again read, was adopted.

Ordered, that the clerk acquaint the house of representatives therewith, and ask their concurrence therein.

A message from the house of representatives by Mr. Campbell their clerk.

Mr. Speaker:

The house of representatives have received, read and accepted the resignation of James Cannady, as justice of the peace for *Warren* county, also

The resignation of William Woods, as justice of the peace for Giles county.

They have also received and read a petition of sundry citizens of Davidson county, praying the passage of a law authorizing a lottery to be drawn to raise a sum of money to endow a free school in the town of Nashville or vicinity.

They have, also, adopted the following resolutions, in which they ask your concurrence.

Resolved by the general assembly of the state of Tennessee,

That the secretary issue to R. E. G. Doherty four certificates of one hundred acres each—provided it shall appear by the oath of said Doherty that he lost by fire four certificates of that amount, which had been issued by the commissioners of East Tennessee to J. and I. Greenway, and which by assignment, was vested in him.

And the same, when issued, may be located in any of the surveyors' offices south and west of the congressional reservation line.

Resolved by the general assembly of the state of Tennessee,

That the register of the Western District issue to Charles Miles, assignee of Thomas Brown, a grant for 200 acres of land, founded on a certificate warrant No. 2127, issued by the commissioner of *West* Tennessee, and entered on the 6th day of October 1821.

in the ninth surveyor's district no. 614, in the 3d range and 16th section, surveyed 24th of April 1822, on the production to said register of a copy of the plat and certificate of survey.

And then he withdrew.

Mr. McMeans moved to suspend the rule of the senate, requiring resolutions to lie upon the table one day, so far as relates to the resolutions received from the house of representatives for the benefit of R. E. C. Doherty.

Which was agreed to by the senate.

The said resolution was then read and concurred in.

Ordered that the clerk acquaint the house of representatives therewith.

According to a rule of the senate, the second resolution in the above message lies on the table one day,

The resignation of James Cannady, a justice of the peace for Warren county, and William Wood, a justice of the peace for Giles county, were both read and accepted.

The petition of sundry citizens of Davidson county, on the subject of raising money by lottery, to endow a free [redacted] in Nashville, was read at the clerk's table, and

On motion of Mr. Bradford,

Ordered that said petition be referred to the committee on education.

Mr. Henderson submitted the following resolution:

Resolved by the general assembly of the state of Tennessee,

That the surveyor of the the *Hiwassee* District report to this general assembly any document in his possession, showing the number of reservations taken under the treaties of 1817 and 1819, with the Cherokee nation of Indians in the Hiwassee District.

On motion of *Mr.* Henderson,

The rule of the senate requiring resolutions to lie one day upon the table was suspended, and said resolution was then adopted.

Ordered that the clerk acquaint the house of representatives therewith.

Mr. Preston returned, without amendment,

A bill for the benefit of public ferries:

Which bill was read the second time and passed.

Mr. McMeans returned, without amendment,

A bill to alter the time of holding the county courts of Lincoln county.

Which bill was reah the second time and passed.

Mr. Smartt returned

A bill for the relief of Thomas Powers and others.

With a proposed amendment in lieu of the whole bill, which amendment was read and agreed to by the senate.

The said bill, as amended, was then read the second time and passed.

A bill to divorce Isabella Giles from her husband,

Was read the second time,

And the question was taken thereon:

Shall the said bill pass?

And determined in the negative.

There being Ayes 7, Noes 10.

The ayes and noes being required.

Those who voted in the affirmative, are	Those who voted in the negative, are
Mr. Speaker Foster,	Mr. Amis,
Bradford,	Anderson,
Cleveland,	Brown,
Henderson,	Frey,
McMeans,	Gass,
Simpson, &	Hughes,
Walker—7	Johnson
	Nelson,

Preston &
Reynolds—10

And so the said bill was rejected.

On motion of Mr. Brown,

The senate took up and proceeded to the consideration of.

A resolution received from the house of representatives on the 23d inst. proposing that the houses meet in joint committee this day, for the purpose of taking into consideration the propriety of recommending to the citizens of this state at the next general election to vote for or against a call of convention.

Mr. Walker moved to nonconcur in said resolution.

And the question was taken thereon,

And determined in the negative.

There being ayes 8, noes 11.

The ayes and noes being required.

Those who voted in the affirmative are,	Those who voted in the negative are,
Mr. Speaker Foster,	Mr. Brown,
Amis,	Bradford,
Anderson,	Frey,
Cleveland,	Gass,
Henderson,	Hughes,
Preston	Johnson,
Reynolds &	M'Clanahan,
Walker—8.	M'Means
	Nelson
	Simpson, &
	Smartt—11

And so the said motion was lost.

Mr. Brown then moved to concur in so much of said resolution as proposes that the two houses meet in joint committee on the subject of a call of convention, and nonconcur in so much of said resolution as appoints this day for the meeting, and propose to the house of representatives to meet in their hall on Friday next on that subject.

And the question was taken thereon.
And determined in the affirmative.
And so the said motion was agreed to,
Ordered that the clerk acquaint the house of representatives therewith.

Received from the house of representatives,

A bill to amend an act, entitled, "An act regulating the fees of justices of the peace, and for other purposes"—passed December fifth, 1825.

A bill for the relief of the sheriff of Carroll county and for other purposes, and

A bill to authorize judges of the supreme court to certify bills of cost in certain cases,

Which bills were severally read the first time and passed.

Received from the house of representatives,

A bill prescribing a mode by which suits may be commenced and prosecuted against the state of Tennessee.

Which bill was read the first time and rejected.

Mr. Bradford introduced

A bill for the relief of securities in certain cases, and

A bill for the relief of John Sutler and Samuel Buchanan,

Mr. Henderson

A bill to amend an act to revise and amend the militia law passed at the last session of the general assembly, and

Mr. Walker

A bill to regulate the county courts therein named,

Which bills were severally read the first time and passed.

A bill to amend the second section of an act passed Nov. 26, 1825,

Was read the second time and rejected,

Mr. McMeans withdrew for amendment,

A bill to further provide for the occupants of the Western District,

And then the senate adjourned.

TUESDAY, OCTOBER 31, 1826.

The senate took up and proceeded to the consideration of

A resolution received from the house of representatives on yesterday authorizing a grant to be issued to Charles Miles

Which was again read,

Ordered that said resolution lie upon the table indefinitely,

Mr. Brown submitted the following resolution:

Resolved: that the governor of this state be requested to communicate to this general assembly any information in his possession relative to the situation of the estate of Mason Lee deceased, late of South Carolina.

Mr. Anderson the following:

Resolved, that the commissioner of west Tennessee, be required to report to this general assembly, the amount of university and other warrants adjudicated valid, agreeably to a law passed at the last session of this general assembly.

According to a rule of the senate, said resolutions lie upon the table one day.

A message from the house of representatives by Mr. Campbell their clerk:

Mr. Speaker,

The house of representatives concur in your resolutions requiring the treasurer to report the amount of money paid into the treasury by the Register of the western district, and that the surveyor of the Hiwassee district report the number of Indian reservations taken in said district, and that the joint committee on job printing, ascertain the expence

of publishing in the newspapers of the public printers.

They have read and ordered to be sent to the senate a petition of John Chapman of Nashville.

They have adopted the following resolution in which they ask your concurrence.

Resolv'd, by the general assembly of the state of Tennessee;

That the secretary of state be and he is hereby directed to grant to Matthew Rhea Esq. of Maury county the privilege to copy all such maps, drafts and documents as may be in his office, necessary to make out a correct map of this state.

And then he withdrew.

On motion of Mr. Reynolds, the rule of the senate requiring resolutions to lie upon the table one day, was suspended, so far as it effects the resolution received from the house of representatives for the relief of Matthew Rhea.

The said resolution was then read and concurred in.

Ordered that the clerk acquaint the house of representatives therewith.

A bill to divorce Daniel Bucker from his wife Polly.

Was read the second time,

And the question was taken thereon:

Shall the said bill pass?

And determined in the negative.

There being ayes 4, noes 13.

The ayes and noes being required.

Those who voted in the affirmative, are	Those who voted in the negative, are
Mr. Speaker Foster,	Mr. Amis,
Cleveland,	Anderson,
Henderson and	Brown,
Walker—4	Bradford,
	Frey,
	Gass,
	Hughes,

Johnson,
Nelson,
Preston,
Reynolds,
Simpson and
Smartt—13.

And so the said bill was rejected.

The petition of John Chapman received from the house of representatives this day was then read at the clerks table, and

Ordered, to be referred to the committee of propositions and grievances.

A message from the house of representatives by Mr. Campbell their clerk:

Mr. Speaker,

The house of representatives nonconcur in so much of your proposition as requires the two houses to meet in joint committee on Friday next on the subject of a call of convention, and propose to meet on that subject on Thursday next in which they ask your concurrence,

And then he withdrew.

The said message was then read at the clerks table.

Mr. Smartt moved to nonconcur as to the day on which the two houses should meet on the subject of a call of convention, which motion was agreed to by the senate.

Mr. Bradford then moved that Thursday the 8th November next be proposed to the house of representatives as the day on which the two houses will meet on said subject.

Which was agreed to by the senate.

Ordered, that the clerk acquaint the house of representatives therewith, and ask their concurrence therein.

To which proposition the house of representatives concurred, and informed the senate thereof by message.

A bill to apportion the representation in the general assembly of this state,

Was read the second time.

Mr. M'Clanahan moved to amend the third section of said bill: that at the election in 1833 Rutherford county should elect two representatives, and Williamson county one representative,

And the question was taken thereon,

And determined in the negative.

There being ayes 1, noes 18.

The ayes and noes being required.

Those who voted in the affirmative, are	Those who voted in the negative, are
Mr. M'Clanahan—1	Mr. Speaker Foster
	Amis,
	Anderson,
	Brown,
	Bradford,
	Cleveland,
	Frey,
	Gass,
	Hall,
	Henderson,
	Hughes,
	Johnson,
	Nelson,
	Preston,
	Reynolds,
	Simpson,
	Smartt and
	Walker—18.

And so the said motion was lost.

The said bill was then passed the second time.

Received from the house of representatives,

A bill supplemental to an act entitled an act to authorize Samuel Perry, Peter Hoodenpile and *Wm.* Raney to open a turnpike road.

A bill to repeal the laws respecting cotton gins.

A bill to amend an act requiring clerks of chancery courts to furnish books for keeping the records

and proceedings of their respective courts.

A bill to amend the first section of an act to empower the county court of Bedford county to appoint commissioners to contract for and superintend the building of a bridge across Duck river.

A bill for the relief of the citizens of Sevier county between Bays mountain and the river Holston.

A bill for the relief of Alexander Campbell a cripple of Dickson county.

A bill to repeal an act entitled an act to revive an act for the benefit of certain reservees, passed August 22d 1822.

A bill to form the volunteer companies attached to the ninth brigade of Tennessee Militia into a regiment.

A bill to amend an act passed October 4th 1825, entitled an act for the relief of Elisha Purdom, deceased.

A bill to authorize the surveyor of Stewart county to run and mark a part of Walker's line.

A bill to regulate the courts of Maury and Williamson counties.

A bill for the relief of William Ursury.

A bill for the relief of the securities of the entry taker of Stewart county.

A bill for the relief of Wm P. Cobb and others, owning flat boats and dams in the Holston river in the county of Knox.

A bill to compel the clerks of the circuit and county courts to enroll all cases at law decided in their respective courts.

A bill for the disposal of the academy funds.

A bill for the benefit of Ann Young.

A bill to entitle persons to receive pay who are summoned as garnishee.

A bill for the benefit of David Richardson clerk of the circuit court of Campbell county.

A bill for the relief of David Nowlen.

A bill to alter the time of holding the chancery court at Greenville, and

A bill to amend an act entitled an act to make it the duty of the registers in this state to correct errors committed in the issuance of certain grants.

Which bills were severally read the first time and passed.

Mr. Gass introduced a bill concerning the registration of deeds, and

Mr Bradford

A bill for the relief of Robert P. Harrison, surveyor of the 2d district.

Which bills were severally read the first time and passed.

A bill for the relief of captain Crawford of Maury county.

A bill for the relief of the clerks of the circuit and county courts of Washington county.

A bill to authorize the county court of Hardeman county to lay a tax to complete the court house in the town of Bolivar, and

A bill for the relief of Jonathan Bachman,

Were severally read the secend time and passed.

A bill to alter the name of the person therein named, and

A bill to repeal the first section of an act making it the duty of the judges of certain judicial circuits to interchange ridings, and for other purposes passed Dec. 1st 1825.

Were both read the third time and passed.

A bill supplemental to an act entitled an act for the relief of Thomas Taylor, passed October 29th 1825, and

A bill to alter the time of holding the county courts of Lincoln and M'Nairy counties,

Were both read the third and last time passed, and Ordered, to be engrossed.

On motion of Mr. M'Means,

A bill for the relief of the representatives of John Carter dec'd. and

A bill for the relief of Joshua Hadley,

Were both referred to the committee on land claims.

Mr. Gass introduced

A bill to compel captains of companies to meet at their respective muster grounds three days before the election in 1827 for the purpose of reading to their companies the reasons of a call of a convention,

Which bill was read the first time, and

On motion of Mr. Henderson,

Ordered, to lie upon the table indefinitely.

And then the senate adjourned.

WEDNESDAY, NOVEMBER 1st, 1826.

Mr. M'Means presented a petition of sundry citizens of Hickman county praying to be attached to the county of Humphreys, and

Mr. Hall a petition of Richard Searcy praying that a certificate warrant for 640 acres, may be issued to him, in consequence of a grant for that amount of acres issued by the state of North Carolina to Thomas Woodward, the title of which by assignment is vested in him as land cannot be identified.

The said petitions were both read at the clerks table.

Ordered, that the first of said petitions be referred to the committee of propositions and grievances, and the last to the committee on land claims.

The senate then took up and proceeded to the consideration of a resolution submitted by Mr. Brown on yesterday, requesting certain information from the governor, also a resolution submitted by Mr. Anderson, requiring certain information from the commissioner of west Tennessee, both of which resolutions, were again read, and adopted.

Ordered, that the clerk acquaint the house of representatives therewith and ask their concurrence therein.

Mr. Simpson introduced accompanying by a petition a bill for the relief of C. F. M. Gudream.

Mr. Anderson

A bill to amend an act entitled an act requiring the clerks and trustees and other officers in the several counties in this state, to perform certain duties passed at Murfreesboro 1825.

Mr. Foster

A bill to authorize a lottery for the benefit of Cumberland College.

Mr. Walker

A bill to fix permanently the seat of justice in Shelby county, and

A bill to exempt a certain piece of land on which Mount Pleasant meeting house stands from taxation in Hickman county,

Which bills were severally read the first time and passed.

Mr. Henderson introduced

A bill to amend an act to dispose of the lands lying between the rivers Hiwassee and Tennessee, and north of little Tennessee river passed November 16. 1819.

Which bill was read the first time.

Ordered, that said bill be referred to the committee on Indian reservations.

Received from the house of representatives.

A bill to amend an act entitled an act to procure a revisal of the public statutes of this state.

A bill supplemental to the 112th section of the militia law passed 1825.

A bill to compel the commissioners of the town of Huntingdon in Carroll county, to account for and pay over the public monies and for other purposes.

A bill supplemental to an act entitled an act to establish offices for receiving entries for the vacant land in the several counties in this state, lying north and east of the congressional reservation line, and north of Tennessee river.

A bill to authorize a certain deed of conveyance to be registered.

A bill to regulate the mode of taxing lots in the town of *Milton*, Rutherford county.

A bill to alter the name of Rhodeham *Moore* to that of Rhodeham Yoe, and

A bill for the relief of James Littleton.

Which bills were severally read the first time and passed.

A bill to prohibit clerks of superior and inferior courts from becoming security to suits determinable in the courts of which they are clerks respectively.

A bill to establish academies in the counties of Marion and Bledsoe,

A bill to authorize the judges of the superior courts to certify bills of costs in certain cases, and

A bill to compel entry takers to pay over monies, and for other purposes,

Were severally read the second time and passed.

A bill to incorporate the town of Brownsville in Haywood county,

Was read the third and last time passed and

Ordered, to be engrossed.

Mr, Brown withdrew for amendment,

A bill to incorporate the subscribers to the Union Insurance Company.

And then the senate adjourned.

THURSDAY, NOVEMBER 2, 1826.

Mr. Anderson presented

A petition of P. Cary praying that the treasurer of East Tennessee be directed to pay to him, or his attorney $198 for publishing sundry tracts of land for sale in the Knoxville Intelligencer, condemned for taxes by the county court of Stewart county at February term 1821.

Ordered, that said petition be referred to the committee on claims.

A message from the house of representatives by Mr. Campbell their clerk:

Mr. Speaker,

The house of representatives have received and read a communication from his excellency the governor, together with the documents therein referred to, and I am directed to deliver them to the senate.

And then he withdrew.

The said communication from the governor was then read at the clerks table, and is as follows:

Fellow Citizens of the senate, and of the house of representatives.

In complyance with an act of the general assembly, passed at a former session an agent was appointed to go to South Carolina for the purpose of procuring information respecting a devise of Mason Lee dec'd. to the state of Tennessee, whose report, with other papers relating to the subject are herewith laid before you.

I also, lay before you a communication from Jesse W. Egnew Esq. with two letters from judge Murphy to him, relating to his agency in procuring information respecting the real estate of which John Rice died possessed, under an appointment conferred by the legislature a few years ago.

WM. CARROLL.

Executive Office,
November 1, 1826

On motion of Mr. Bradford,

Ordered, that so much of said communication, and documents as relates to the estate of John Rice dec. be, referred to the judiciary committee, and that so much thereof, as relates to the estate of Mason Lee dec'd. be laid upon the table indefinitely.

Mr. Bradford submitted the following resolution:

Resolved, that the committee on the judiciary, be instructed to enquire into the expediency of so organizing the judiciary that the circuit courts hold three terms annually in each county, one chancery and two law terms, and that the supreme court be composed of three judges, be an appellate court in

matters of law and equity, and to sit at three or more places annually.

Ordered, that said resolution be referred to the judiciary committee.

Mr. M'Means returned

A bill to further provide for the occupants of the western district.

With several amendments all of which were agreed to by the senate.

And the said bill as amended was then read the second time and passed.

Mr. Brown returned without amendment,

A bill to incorporate the subscribers to the Union Insurance company of Tennessee.

Ordered, that said bill lie upon the tabe indefinitely.

Mr. M'Means introduced

A bill more effectually to prohibit the keeping of tipling houses, and

Mr. Gass

A bill concerning sheriffs,

Which bills were both read the first time and passed.

Mr. Nelson introduced

A bill for the benefit of persons having fractions of warrants heretofore filed in the office of the principal surveyor of the sixth district,

Which bill was read the first time.

On motion of Mr. M'Means,

Ordered, that said bill be referred to the committee on land claims.

Received from the house of representatives,

A bill concerning mill dams which have been unlawfully built across Elk river.

A bill to revive an act passed December 5th, 1825, entitled "An act to provide for the adjudication of certain land claims.

A bill to authorize Reuben Ross to open a turnpike road,

A bill to authorize *W*iley Ledbetter to hawk and peddle without license,

A bill to change the name and style of the Centreville Domestic Blues,

A bill to authorize clerks to issue commissions to take depositions,

A bill allowing further time for making surveys and returning platts and certificates south and west of the congressional reservation line.

A bill supplemental to an act, entitled "*An* act requring clerks, trustees, and other officers of the several counties in this state to perform certain duties,"

A bill to authorize the judges to grant certiorari and supercideas to remove the proceeding from before justices of the peace to the circuit courts,

A bill to authorize the drawing of a lottery for the benefit of the Shelbyville Dickson academy.

A bill requiring certain duties of the solicitors general, and

A bill to exempt David Ragsdale from the payment of turnpike tax.

*W*hich bills were severally read the first time and passed.

A bill for the relief of David Newland,

A bill to amend the laws now in force in relation to merchants and pedlars license.

A bill to change the names of the persons therein mentioned, and

A bill for the relief of David Richardson, clerk of the circuit court of Campbell county,

Were severally read the second time and passed.

A message from the house of reprrsentatives by Mr. Campbell their clerk.

Mr. Speaker:

The house of representatives have received, read and ordered to be sent to the senate,

A petition of sundry citizens of *W*illiamson county.

They have also received and accepted the resignation of H. F. Fryer, a justice of the peace for Warren county.

They concur in your resolution requiring certain information from the commissioner of West Tennessee, relative to land warrants.

And then he withdrew.

The resignation of H. F. Fryer, a justice of the peace for Warren county, was then read and accepted.

The petition received from the house of representatives, from sundry citizens of Williamson county, praying the establishment of a quorum court in said county was then read, and

Ordered, to be referred to the judiciary committee.

Mr. Walker submitted the following resolution.

Resolved by the general assembly of the state of Tennessee,

That Jesse Benton, David Dunn, Francis M. Weathered & John V. Williams be, and they are hereby appointed justices of the peace for Shelby county, and

Mr. Gass the following:

Resolved, that the senate meet the house of representatives in their hall on Saturday next, at the hour of ten o'clock, for the purpose of electing a senator in the congress of the United States, for six years commencing on the 4th of March next.

According to a rule of the senate, said resolutions lie upon the table one day.

Mr. Brown withdrew for amendment,

A bill to establish a board for internal improvements in this state, and

Mr. Johnson,

A bill to authorize the drawing of a lottery for the benefit of Samuel Hogg.

Mr. Henderson submitted the following preamble and resolution:

Whereas, a resolution has been introduced into this general asrembly, proposing to go into an election during the present session, of a senator in congress, to supply the place of an incumbenc whose term of service will not expire until the 4th day of March 1827.

And whereas the adoption of said resolution would violate a custom which has long prevailed in this state, and as there does not exist the least or the most distant necessity in our political affairs, for a departure from this ancient precident, and whereas, the members of this general assembly were not elected by the people with a reference to the choice of a senator; and whereas, in a republican government the wishes of the people should always be ascertained in relation to matters of deep concern to them, and their wishes when known, should be obeyed by their representatives; and whereas, any measure which has a tendency to deprive them of an opportunity of expressing their wishes upon subjects interesting to them, is a downright violation of their rights; and whereas, in selecting a person qualified to fill the vacancy which will occur at the period aforesaid, as it is the right of the people to select their representatives and senators with a view to the choice aforesaid, so it is the duty of this general assembly to afford them the opportunity to do so; and whereas, a postponement of an election for senator until after the next general election to be held throughout the state in August next, will present to the people that right.

Therefore,

Resolved, that it is inexpedient to go into an election at any time during the present session of this general assembly, of a senator in congress to supply the place of the incumbent, whose term of service will not expire until the 4th day of March 1827.

According to a rule of the senate said preamble and resolution lies upon the table one day.

And then the senate adjourned.

FRIDAY, NOVEMBER 3, 1826.

Mr. Reynolds presented

A petition of sundry citizens of Maury county praying that a forfeiture taken against Ambrose Powell as appearance bail in the supreme court at Columbia be remitted.

Ordered, that said petition be referred to the committee of propositions and grievances.

Mr. Henderson from the joint select committee to whom was referred a report of the commissioners appointed to compromise suits brought by indian reservees, against purchasers at the Hiwassee land sales.

Reported,

A bill to preserve the integrity of the capital stock of the bank of the state of Tennesse,

Which bill was read the first time and passed.

The senate then took up and proceeded to the consideration of a resolution, submitted by Mr. Walker on yesterday, appointing justices of the peace for Shelby county,

Which resolution was again read, and

Ordered, to lie upon the table indefinitely.

The senate then proceeded to the consideration of a resolution submitted by Mr. Gass on yesterday proposing to go into the election of a senator in congress on to-morrow,

Which resolution was again read.

Mr. Bradford moved to lay said resolution on the table indefinitely for the purpose of taking a vote upon a resolution submitted by Mr Henderson on yesterday.

And the question thereon was taken,

Will the senate lay said resolution on the table.

And determined in the negative,

There being ayes 5. noes

The ayes and noes being required

Those who voted in the affirmative are

Mr. Bradford,
Cleveland,
Henderson,
Simpson and
Smartt—5.

Those who voted in the negative are,

Mr. Speaker Foster,
Amis,
Anderson,
Brown,
Frey,
Gass,
Hall,
Hughes,
Johnson,
M'Clanahan,
M'Means,
Nelson,
Preston,
Reynolds and
Walker—15.

And so the said motion was lost.

The question was then taken,

Will the senate adopt said resolution,

And determined in the affirmative.

There being ayes 14, noes 6.

The ayes and noes being required.

Those who voted in the affirmative, are

Mr. Speaker Foster,
Amis,
Anderson,
Brown,
Frey,
Gass,
Hall,
Johnson,
M'Clanahan,
M'Means,
Nelson,
Preston,
Reynolds and
Walker—14.

Those who voted in the negative, are

Mr. Bradford,
Cleveland,
Henderson,
Hughes,
Simpson and
Smartt—6.

And so said resolution was adopted.

Ordered, that the clerk acquaint the house of representatives therewith and ask their concurrence therein.

The senate then took up and proceeded to the consideration of a preamble and resolution submitted by Mr. Henderson on yesterday; when,

On motion of Mr. Reynolds,

Ordered, that said preamble and resolution lie upon the table indefinitely.

On motion of Mr. Henderson,

Ordered, that the committee on Indian reservees be discharged from the further consideration of any business referred to them.

On motion of Mr. Preston,

Ordered, that Samuel M'Connel be permitted to withdraw his papers from the clerks table, which had been referred to the committee on Indian reservations.

The speaker laid before the senate a report of the secretary of state, acting as commissioner of west Tennessee, made in obedience to a joint resolution of this general assembly.

Which was read at the clerks table as follows, to wit:

To the general assembly of the state of Tennessee.

The secretary of state acting as commissioner of West Tennessee, has the honor to report, that since the adjournment of the last session, two hundred and ten claims have been adjudicated (viz:)

107 military warrants, belonging to the University and Colleges amounting to 91,760.

These were divided into certificates as directed by an act passed for that purpose and deposited in the hands of the register of the western district.

2 Certificrtes issued by the commissioner of west Tennessee.

3 Certificates issued by the commissioner of east Tennessee.

27 certificates issued by the register of West Tennessee.

2 certificates isssued by the register of East Tennessee

4 military warrants belonging to individuals.

4 John Armstrong duplicates.

42 certificates for interferences.

17 certificates for land lying north of Steel's line.

1 certificate for land lying north of the Kentucky line in the Western District.

1 certificate for land lying south of the Alabama line.

Amounting in the whole to 117,644¾ acres.

From this statement it appears that the amount of warrants adjudicated for the university and for the colleges, is not quite 92,000, although the act contemplated 105,000.

The deficiency is accounted for by the fact, that at the time the act was passed it was known here that the final issuance of warrants by North Carolina, amounted to about 13,000 acres, it was thought possible that the whole or a greater part of them might have been issued to the university.

It appears, however, from the abstract which I have since received, that the whole of them were issued to the individuals themselves who performed the military service, or to their heirs, and several of the warrants have been sent to me, from a belief that I was authorized to pass upon them.

There are very few or none of the university warrants now unsatisfied: and those belonging to individuals for military services. do not amount to more thirteen or fourteen thousand acres.

Respectfully submitted,

DANIEL GRAHAM.

Ordered that said report lie upon the table.

Mr. Preston submitted the following resolution:

Resolved by the general assembly of the state of Tennessee,

That no bills be received by either branch of this general assembly, after Wednesday the fifteenth instant, except bills reported by committees.

According to a rule of the senate said resolution lies upon the table one day.

Mr. McClanahan introduced

A bill for the relief of the "Murfreesborough Sentinels," and other companies therein mentioned.

Which bill was read the first time and passed.

A bill to regulate elections of field officers in Dickson county,

Was read the second time and passed.

And then he withdrew.

SATURDAY, NOVEMBER 4, 1826.

Mr. McClanahan presented

A petition of *W.* B. Clayter, praying to be allowed to hawk and peddle without the payment of a tax therefor.

Ordered that said petition lie upon the table.

Mr. Reynolds presented

A memorial of Reuben and James N. Smith, of Maury county, accompanied by

A bill for the relief of Reuben Smith and James N. Smith of Maury county.

Which bill was read the first time and passed.

Mr. Johnson, from the committee on enrolled bills, reported

That they had examined and found to be truly enrolled.

An act to incorporate the inhabitants of the town of Brownsville in the county of Haywood,

An act supplemental to an act for the relief of Thomas Taylor, passed October 29, 1825, &

An act to alter the times of holding the county courts of Lincoln and McNairy counties.

The speaker signed said enrolled bills.

Ordered that the clerk transmit them to the house representatives to receive the signature of their speaker.

Mr. Frey from the committee on land claims, to whom had been referred

A bill for the relief of Andrew Donover,

A bill for the relief of Joshua Hadley,

A bill for the relief of the representatives of John Carter, and

A bill for the benefit of persons having fractions of warrants and certificates heretofore filed in the principal surveyor's office of the sixth district.

Reported, that they had examined said bills, and beg leave to recommend that said bills be passed into laws.

Ordered that said report and bills be laid upon the table.

The senate then took up and proceeded to the consideration of

A resolution submitted by Mr. Preston on yesterday, limiting the introduction of bills to the 15th inst.

Which resolution was again read.

Mr. Reynolds moved that said resolution be laid upon the table indefinitely.

And the question was taken thereon,

And determined in the negative.

There being ayes 10, noes 10.

The ayes and noes being required.

Those who voted in the affirmative are,	Those who voted in the negative are,
Mr. Speaker Foster,	Mr. Amis,
Brown,	Anderson,
Cleveland,	Bradford,
Frey,	Hall,
Gass,	Hughes,
Henderson,	Johnson,
M'Means	M'Clanahan,
Nelson	Preston
Reynolds &	Simpson, &

Walker—10. Smartt—10

According to a rule of the senate, where the is an equal division of the vote, the motion fails.

The question was then taken,

Will the senate adopt said resolution?

And determined in the affirmative.

There being Ayes 11, Noes 9.

The ayes and noes being required.

Those who voted in the affirmative, are	Those who voted in the negative, are
Mr. Ames,	Mr. Speaker Foster,
Anderson,	Cleveland,
Bowers,	Frey,
Bradford,	Gass,
Elam,	Henderson,
Hughes,	McMeans,
Johnson	Nelson,
McClanahan,	Reynolds,
Preston,	Walker—9
Simpson, &	
Smartt—11.	

So said resolution was adopted.

Ordered that the clerk acquaint the house of representatives therewith and ask their concurrence therein.

A message from the house of representatives by Mr. Campbell their clerk.

Mr. Speaker:

The house of representatives concur in your resolution to go into the election of a senator in congress this day at the hour of ten o'clock A. M.

They have adopted the following resolution, in which they ask your concurrence.

Whereas, in the caption of the act of 1812, prohibiting the importation of slaves for sale into this state, the operation of said act is limited to five years, but no such limitation is expressed in the body of said act:

And whereas negroes brought into this state by Oliver Simpson, have been arrested by the sheriff of

Giles county, and will under the said act be shortly offered for sale for the use of the state.

Therefore,

Resolved, by the general assembly of the state of Tennessee;

That said sheriff be, and he is hereby directed to suspend the sale of said negroes so levied on, arrested until the further order of this general assembly.

On motion of Mr. Brown,

The rule of the senate requiring resolutions to lie one day upon the table, was suspended.

The above resolution, was then read and adopted.

Ordered that the clerk acquaint the house of representatives therewith.

This day at the hour of 10 o'clock A. M. in conformity with a joint resolution adopted by both branches of the general assembly the speaker and gentlemen of the senate repaired to the hall of the house of representatives for the purpose of electing a senator in congress and were invited to seats within the bar of the house.

The resolution convening the two houses together was then read by the clerk, when they proceeded by ballot to the election of a senator in congress, and upon the tellers collecting and counting out the ballots, they reported that John H. Eaton Esq. had received fifty two votes.

Whereupon,

The speaker of the senate, declared in presence of both branches of the general assembly that John H. Eaton Esq. was duly and constitutionally elected a senator in the congress of the United States from the state of Tennessee for six years commencing the 4th day of March next.

The speaker, and gentlemen of the senate returned to their own chamber and the speaker resumed the chair.

Mr. Bradford submitted the following resolution:

Resolved, that a joint select committee, be appointed to take into consideration the propriety of me-

memorializing congress upon the subject of holding a treaty with the Cherokee nation of Indians, for the extinguishment of their claim to the lands held by them within chartered limits of this state.

According to a rule of the senate, said resolution, lies upon the table one day.

Mr. Preston introduced

A bill for the relief of purchasers or assignees of purchasers at the Hiwassee land sales, contained in the reservation of John Hilderbrand taken on the Hiwassee river, under the treaties with the Cherokee Indians, and

Mr. Foster

A bill to amend the laws respecting Cumberland College.

Ordered, that said bill lie upon the table indefinitely.

Mr. Johnson returned, without amendment,

A bill to authorize the drawing of a lottery for the benefit of Samuel Hogg, and

Mr. Brown

A bill to establish a board for internal improvements.

Ordered, that said bills lie upon the table indefinitely.

On motion, leave of absence was granted to Mr. Henderson and Mr. Nelson until Monday next, and to Mr. Bradford until Tuesday next.

The speaker laid before the senate a report of the treasurer of west Tennessee, which was read at the clerks table as follows:

The treasurer of west Tennesse, has this day received the resolution of the general assembly of the 31st of Oct. 1826, requesting a report of money received on account of sales of military land warrants directed to be sold by the register of the western district, agreeably to an act of the general assembly, passed at Murfreesboro the 24th of Nov. 1825.

The treasurer begs leave to make the statement

of Joel Parrish, Cashier of the bank of the state at Nashville, hereto annexed as his report.

Respectfully,

THOMAS CRUTCHER,

Treasurer of West Tennassee.

November 2d, 1826.

Statement of the amount of monies deposited by A. G. Neilson register of the western district of Tennessee, and placed to the credit of Thos. Crutcher treasurer for west Tennessee, in the bank of the state of Tennessee at Nashville on the several days herein after specified, viz:

On the 10th May 1826,	$5,000
22	3,205
29	13,650
	560
17th July	22,100
25	430
1st August,	930
	$45,875

Making in all forty-five thousand eight hundred and seventy-five dollars.

JOEL PARRISH, Cashier.

Bank of the state of Tennessee,
Nashville, October 28th, 1826.

Ordered, that the clerk transmit said report to the house of representatives.

And then the senate adjourned.

MONDAY, NOVEMBER 6, 1826.

Mr. Preston presented

A petition of sundry citizens of Rhea county praying to be attached to M'Minn county.

Also, a petition of sundry citizens of Rhea county praying that Susanna Everett be divorced from her husband Simon Everrett.

Ordered, that said petitions be referred to the committee of psopositions and grievances.

Mr. Hughes presented

A petition of Jonas Bradley praying that a certificate be issued to him for part of grant No. 59, taken by better title.

Ordered, that said petition be referred to the committee on land claims.

The senate took up and proceeded to the consideration of a resolution, submitted by Mr. *Bradford* on Saturday, on the subject of memorializing congress on the subject of an extinguishment of the title of the Cherokee Indians to the lands within the chartered limits of this state,

Which was again read, and

On motion,

Ordered, to lie upon the table indefinitely.

Mr. M'Means introduced

A bill for the relief of Alice S. *Wilson.*

Mr. *Anderson*

A bill to incorporate the Hiwassee Canal Company.

Mr. M'Clanahan

A bill for the benefit of *Wm.* B. Clayton.

Mr. *M'Means*

A bill for the relief of regular ministers of the gospel, and

Mr. Simpson

A bill to authorize the county court of Overton county to lay a tax.

Which bills were severally read the first time and passed.

On motion of Mr. Walker,

A bill for the relief of the representatives of John Carter, and

A bill for the relief of Joshua Hadley both of which had been reported reasonable by the committee on land claims and were read the second time & passed.

On motion of Mr. Walker,

A bill for the relief of Andrew Doniver, and

A bill for the benefit of persons having fractions of

warrants or certificttes, heretofore filed in the principal surveyors office of the 6th district.

Both of which had also, been reported reasonable by the committee on land claims, and were read the first time and passed.

A message from the house of representatives by Mr. Campbell their clerk.

Mr. Speaker:

The speaker of the house of representatives has signed an enrolled bill entitled an act to repeal the first section of an act making it the duty of the judges of certain judicial circuits, to interchange their ridings, and for other purposes passed December 1ts 1825, and directed the same to be transmitted to the senate to receive the signature of their speaker.

They have adopted the following resolutions, in which they ask your concurrence:

Resolved, that the surveyor general of the 10th district of this state, be permitted to remove his office to the town of Bolivar or its vicitity in the county of Hardeman, by giving two weeks previous notice in the Jackson Gazette of the time and place.

Resolved, that Jesse Reynolds of the county of Franklin, be and he is hereby appointed a justice of the peace for said county.

They have also, received, read and concurred in the following report, made by the joint committee on land claims.

Resolved by the general assembly of the state of Tennessee,

That grant No. 583 for 320 acres to J. Thompson,

6533	185½	G. W. L. Marr,
70	100	G. W. L. Marr,
2780	300	Joseph Young,
1573		Williams and Franklin,
4382	640	Arthur Brooks,
23731	80	M. H. Buchanan,
23752	100	M. H. Buchanan,
3969	100	Reuben M'Clerin,

be adjudicated by the commissioner of land claims.

Resolved, that Military warrant No: 1229 issued to the heirs of Benjamin Dyer.

Military warrant No. 1224 issued to the heirs of Woody Tucker.

Millitary warrant No. 1233 issued to John Thomas an ensign.

Military warrant no. 1230 issued to Joel Brevard a captain.

Military warrant no 145 issued to John Massey by the state of North Carolina, be adjudicated by the commissioner of land claims.

Resolved, that certificate no 4363 for 10 acres issued to Linus Lanell; and no 4842 issued to Robert Hannah for 3 acres be adjudicated by the commissioner of land claims.

Resolved, that David M'Intyre be permitted to remove entry no 1687 for 5 acres entered in the 7th surveyors district: that Samuel Wells be permitted and authorized to resurvey an entry no 1247 made by James Harden in the 7th surveyors district for 100 acres beginning at the same place called for in the entry, at white oak, thence east 75 poles, thence south to Man Steel's north west corner, thence south with his line and passing the same 19 poles to the north east corner of an entry in the name of James Harden for 150 acres, thence west with the line of said entry 78 poles to an entry no. 1247, thence north with the line of said entry to the beginning.

That John B. Stribling be permitted and authorized to enter in the 7th surveyors office a ballance of certificate warrant no. 5569 being 173 acres.

That the register of west Tennessee, issue to Henry T. Fryer, a grant for 20 acres of land in Warren county by virtue of location no. 7776, dated the 15th April 1815 in the name of Joshua Lackey.

That the commissioner of land claims issue to J. H. M'Kenney, a certificate warrant for 156 acres in lieu of an original warrant issued to John Carter of no. 2062 assigned to said J. H. M'Kinney and

which has been lost or distroyed, and not heretofore entered.

That the register of west Tennessee, issue to Douglass H. Stocton, a grant on entry no. 1698 for one acre and 49 poles, dated May 7th 1825, and entered in the 7th surveyors district.

And then he withdrew.

The speaker signed the enrolled bills received from the house of representatives.

Ordered, that the clerk deposit it in the office of the secretary of state.

According to a rule of the senate, the resolutions and report received from the house of representatives in the above message, lies upon the table one day.

Received from the house of representatives,

A bill for the relief of Joel H. Dyer executor &c.

A bill for the relief of *A*. H. Douglass.

A bill to facilitate the navigation of Big Hatchee river, and for other purposes.

A bill to amend an act to compel sheriffs, coroners and other officers to pay over money by them collected to the persons authorized to receive the same passed Nov. 1803.

A bill to amend the Penal laws of this state, and to establish a jail and penitentiary house therein.

A bill to alter the names and make ligitimate the persons therein named.

A bill to encourage the building mills in the western district.

A bill to authorize the county court of Anderson county to build a house for the accommodation of the poor and for other purposes, and

A bill authorizing the creation of a volunteer company of artillery in the town of Paris,

Which bills were severally read the first time and passed.

A bill for the benefit of *A*lexander Campbell a cripple of Dickson county.

A bill to repeal an act entitled an act to revive

an act for the benefit of certain reservees passed August 22d 1822.

A bill to repeal the laws respecting cotton gins.

A bill to legalize the official acts of John Hannah Sen'r.

A bill for the benefit of John Laird.

A bill to alter the time of holding the chancery court at Greenville.

A bill to amend an act entitled an act for the relief of the heirs of Elisha Purdam dec'd.

A bill to entitle persons to receive pay who are summond as garnashee, and

A bill to authorize the drawing of a lottery for the benefit of Cumberland College.

Were severally read the second time and passed.

A bill to authorize Jesse Savage to open and establish a turnpike road,

Was read the second time, amended

On motion of Mr. Smartt.

And passed.

A bill for the benefit of Captain Crawford of Maury county,

Was read the third and last time, passed, and

Ordered to be engrossed.

On motion of Mr. Preston,

A bill for the relief of purchasers and assignees of purchasers of the land contained in the reservation of John Hildebrand, taken on the Hiwassee river, under the late treaties with the Cherokee Indians,

Which had been laid upon the table, was taken up,

Read the first time and passed.

A message from the house of representatives by Mr. Campbell their clerk:

Mr. Speaker,

The house of representatives have received and read a letter from James C. Mitchell, Esquire, and directed that it be transmitted to the senate for their consideration.

They concur in so much of your resolution which fixes on a day beyond which no bills shall be introduced in either branch of this general assembly, but disagree to the day fixed on by the senate, and propose the first day of December,

In which they ask your concurrence.

And then he withdrew.

On motion of Mr. Smartt,

Ordered that the above message from the house of representatives be laid upon the table for consideration.

The letter of Jas. C. Mitchell, esq. received from the house of representatives, was then read at the clerk's table, and

Ordered to lie upon the table,

Mr. Foster submitted the following resolution:

Resolved, that the governor be requested to communicate to this general assembly such information as he may have received from the executives of the several states on the subject of penitentiaries.

And then the senate adjourned.

TUESDAY, NOVEMBER 7, 1826.

Mr. Henderson presented

A petition of sundry citizens of Monroe county praying the passage of a law authorizing the county court of Monroe county to have certain milk sick knobs enclosed by fencing:

Mr. Johnson

A petition of Nancy *W.* Carver of Wilson county praying the passage of a law granting to her all the privileges of a *femme sole*, except that of intermarrying with another man during the lifetime of her husband.

Mr. Reynolds

A plat and certificate of survey showing the interference between grant No. 16135 and grant no. 2668. Also,

A memorial of Robert Brownfield of Sumpter District, South Carolina, praying the issuance of a certificate warrant to him for grant no. 53 issued by the state of North Carolina,

Mr. Frey

A plat and certificate of survey, showing the interference of grants No. 860, and no. 434, also

A plat and certificate of survey, showing the interference between grants No. 860 and No, 3201,

Ordered, that the two first of said petitions be laid upon the table, and that the memorial of Robert Brownfield and the plats and certificates be referred to the committee on land claims.

Mr. Frey from the joint committee on land claims, reported

A bill for the relief of Robert Craig,

Which was read the first time and passed.

Mr. Frey from the same committee, made a favorable report on

A resolution received from the house of representatives, on the 20th of October last, referring grants Nos. 2340, 3783 and 47 for adjudication, and which had been referred to said committee.

The said resolution was then read and concurred in.

Ordered that the clerk acquaint the house of representatives therewith.

The senate then took up and proceeded to the consideration of

A resolution received from the house of representatives on yesterday, authorizing the surveyor of the tenth district to remove his office.

Which was again read and concurred in.

Ordered that the clerk acquaint the house of representatives therewith.

The senate then took up

A resolution received from the house of representatives on yesterday, appointing a justice of the peace for the county of Franklin.

Ordered that said resolution lie upon the table

The senate then took up and proceeded to the consideration of

The report of the committee on land claims, received from the House of Representatives on yesterday.

Which was again read and concurred in.

Ordered that the clerk acquaint the house of representatives therewith,

On motion of Mr. Frey,

The senate took up a resolution submitted by him on the 19th Octr. referring military warrant no. 649 for adjudication.

Which was again read and adopted.

Ordered that the clerk acquaint the house of representatives therewith and ask their concurrence therein.

On motion of Mr. Preston,

A resolution received from the house of representatives on the 30th October last, authorizing a grant to issue to Charles Miles.

Was referred to the committee on land claims.

On motion of Mr. Hall,

A bill to amend the laws respecting Cumberland College, which had been laid upon the table, was taken up,

Read the first time and passed.

On motion of Mr. Henderson,

A bill to amend an act to dispose of the lands lying between the rivers Hiwassee and Tennessee, and north of Little Tennessee river, passed Nov. 15th, 1819, which had been laid upon the table, was taken up, read the first time and passed.

Mr. Gass introduced

A bill authorizing a special term of the circuit court of Greene county.

Mr. Henderson

A bill vesting particular powers in the county court of Monroe county, and

Mr. Nelson

A bill for the relief of Andrew Taylor late sheriff of Carter county,

Which bills were severally read the first time and passed.

Received from the house of representatives,

A bill to alter the time of holding the courts therein mentioned,

A bill to amend the Militia Law of this state

A bill concerning the Winchester Light Infantry Company,

A bill authorizing the county court of Gibson county to lay a tax and for other purposes.

A bill for the relief of Polly B. Caperton of Franklin county.

A bill for the benefit of Jesse Galloway of Roane county, and

A bill concerning cost in certain cases.

Which bills were severally read the first time and passed.

Received from the house of representatives,

A bill for the relief of John Holeman.

Which bill was read the first time and rejected.

A bill to amend an act requiring clerks of chancery courts to furnish books for keeping the records & proceedings of their respective courts,

Was read the second time and rejected.

A bill for the drawing of a lottery for the benefit of Samuel Hogg,

A bill for the benefit of Samuel Buchanan, and

A bill supplemental to an act entitled "An act to authoriz Samuel Terry, Peter Hoodinpile and William Raney to open a turnpike road,

Were severally read the second time and passed.

A bill to apportion the representation in the general assembly of Tennessee,

Was read the third time and passed.

On motion of Mr. Anderson,

A bill to change the time of holding the drill

musters in the thirteenth brigade Tennessee militia, and

A bill to form the volunteer companies attached to ninth brigade into a regiment,

Were referred to the military committee.

A message from the house of representatives by Mr. Campbell their clerk.

Mr. Speaker:

The house of representatives concur in your resolution referring military warrant No. 649 to the commissioner for adjudication.

They have adopted the following resolution, in which they ask your concurrence.

Resolved by the general assembly of the state of Tennessee,

That James Shelton be, and he is hereby appointed a justice of the peace for Smith county.

And then the senate adjourned.

WEDNESDAY, NOVEMBER 8, 1826.

Mr. Simpson presented

A petition of William McCormack and Henry Rowan, praying the issuance of a certificate for 365 acres for grant 342, which is taken by better title—also,

A petition of William Fleming, praying the issuance of a certificate for 70 acres, part of an 800 acre tract taken by grant no. 300.

Ordered, that said petitions be referred to the committee on land claims.

The senate then took up and proceeded to the consideration of a resolution

Received from the house of representatives on yesterday, appointing a justice of the peace for Smith county.

Which was again read and concurred in

Ordered, that the clerk acquaint the house of representatives therewith.

Mr. Nelson submitted the following resolution.

Resolved by the general assembly of the state of Tennessee,

That Thomas P. Inser be, and he is hereby appointed a justice of the peace for Carter county.

Mr. McMeans the following.

Resolved that the senate meet the house of representatives in their hall on Tuesday next, for the purpose of electing a fifth judge of the supreme court of errors and appeals.

Resolved by the general assembly of the state of Tennessee,

That the following persons be, and they are hereby appointed justices of the peace in and for their respective counties, to wit:

For Humphreys county. Nathaniel Holcomb, Jas. Geetry, *Amos* Bruce and John Pratt.

For Henry county, William Porter, jr. and Robt. Daniel.

For Weakley county, Robert Powell, Tyrrell C. White and Ephraim D. Dixon.

For Perry county, James Dougherty.

According to a rule of the senate, said resolution lies one day upon the table.

A message from the house of representatives by Mr. Campbell their clerk.

Mr. Speaker;

The house of representatives have received, read and ordered to be sent to the senate,

A memorial of Gideon *Morgan* jr. and John *Walker* sr. also

A letter from James C. Mitchell Esqr.

They have also adopted the following resolution in which they ask your concurrence.

Resolved by the general assembly of the state of Tennessee,

That William Foster, Samuel H. Gott, Anderson Cheak, Elijah Hornbeak and Daniel R. Rawlings be, and they are hereby appointed justices of the peace for Marion county.

And then he withdrew.

According to a rule of the senate, the above resolusion lies one day on the table,

The memorial of Gideon Morgan jr. and John Walker sr. together with the letter of James C. Mitchell Esqr. was then read at the clerk's table, and

On motion of Mr. Anderson,

Ordered that said memorial and letter be referred to the committee on internal improvements.

Mr. Simpson introduced

A bill to authorize Jesse Lincoln to open a turnpike road.

Mr Henderson

A bill for the relief of Allen D. Gentry.

Mr. Smartt

A bill to regulate the payment of costs on appeals in certain cases.

Mr. M'Means

A bill authorizing the county court of Humphreys to lay an additional tax to repair the court house of said county and to build a bridge across Cypress creek.

Mr, Walker

A bill to amend an act entitled an act to improve the navigation of Wolf river in the western district passed at Murfreesboro Oct. 16th 1824.

Mr. Anderson

A bill to repeal the 4th section of an act concerning the duty of coroners and for other purposes passed Nov. 23d 1825, and

Mr. Cleveland

A bill to repeal the law appointing two addition judges to the court of errors and appeals.

Which bills were severally read the first time and passed.

Received from the house of representatives,

A bill to amend an act entitled an act to authorize Joel Brabson of Sevier county to build a mill dam across the south sluice of French Broad river passed August 23 1822.

A bill for the benefit of John H. Bills.

A bill to prevent suitors in the county or circuit court from being jurors of said court.

A bill for the benefit of Jesse Williams.

A bill to authorize the treasurer of west Tennessee to pay John Haywood and Robert L. Cobbs the sum of $500 each.

A bill to repeal the 1st section of an act entitled an act directing certain papers to be read in evidence in suits concerning reservations taken under the late treaties with the Cherokee Indians.

A bill to apply the navigation tax of the counties of Weakly and Obion to cutting and bridging roads and for other purposes, and

A bill supplemental to an act entitled an act to establish a bank of the state of Tennessee.

Which bills were severally read the first time and passed.

A bill for the relief of Reuben Smith and James N. Smith.

A bill for the relief of Andrew Donover.

A bill to authorize Reuben Ross to open a turnpike road

A bill to fix permanently the seat of justice of Shelby county, and

A bill to authorize the clerks of the circuit and county courts of Morgan county to keep their offices at their own houses.

Were severally read the second time and passed.

A bill for the relief of Wm. P. Cobb and others, owning fish traps and dams in Holston river in the county of Knox, was read the second time,

And the question thereon was taken,

Shall the said bill pass?

And determined in the affirmative.

There being ayes 11, noes 6.

The ayes and noes being required.

Those who voted in the affirmative, are	Those who voted in the negative, are
Speaker Foster,	Mr. Amis,
Amis,	Gass,
Anderson,	Hall,
Brown,	Nelson,
Cleveland,	Preston and
Frey,	Smartt—6.
Henderson,	
Johnson,	
M'Clanahan,	
M'Means,	
Reynolds and	
Simpson—11.	

And so the said bill passed.

A bill for the relief of the representatives of John Carter.

A bill to establish academies in the counties of Marion and Bledsoe, and

A bill supplemental to an act entitled an act to establish offices for receiving of entries for the vacant land in the several counties north and east of the congressional reservation line.

Were severally read the third and last time passed and

Ordered, to be engrossed.

A bill to authorize the county court of Hardeman county to lay a tax to complete the building of a court house in Bolivar,

Was read the third time and passed.

A bill to authorize the clerks of the county and circuit courts to do certain business at their own houses,

Was read the second time and rejected.

On motion of *Mr. Walker*,

A bill to authorize a lottery for the benefit of Cumberland College,

Was referred to the joint select committee to whom was referred the memorial of the trustees of said college.

And then the senate adjourned.

THURSDAY, NOVEMBER 9, 1826.

Mr. Preston presented

A petition of sundry citizens of Morgan county, praying a repeal of the law of the last session of the general assembly, removing the seat of justice in said county.

Mr. M'Means

A petition of sundry citizeus of Henry county, praying that Joseph Curtis of said county be permitted to retail spirituous liquors in this state without the payment of any tax therefor.

Ordered, that the first mentioned of said petitions be referred to the committee of propositions and grievances, and that last be laid upon the table.

Mr. Johnson from the committee on enrolled bills, Reported,

That they had examined and found to be truly enrolled.

An act for the relief of the representatives of John Carter.

The speakor signed said enrolled bill.

Ordered, that the clerk transmit said enrolled bill to the house of representatives to receive the signature of their speaker.

The senate then proceeded to the consideration of a resolution submitted by Mr. Nelson on yesterday appointing a justice of the peace for Carter county,

Which was again read and adopted.

The senate then took up and proceeded to the consideration of a resolution submitted by Mr. M'Means on yesterday appointing justices of the peace for Humphreys, Henry, Weakley and Perry counties,

Which was again read and adopted.

Ordered, that the clerk acquaint the house of re-

presentatives with the adoption of said resolutions, and ask their concurrence therein.

The senate then took up and proceeded to the consideration of a resolution submitted by Mr. M'-Means on yesterday proposing to elect a fifth judge of the supreme court of errors and appeals,

Which on being again read, was

Ordered, to lie upon the table.

The senate then took up and proceeded to the consideration of a resolution received from the house of representatives on yesterday appointing justices of the peace for Marion county,

Which was again read and concurred in.

Ordered, that the clerk acquaint the house of representatives therewith.

On motion of Mr. Smartt,

The senate took up and proceeded to the consideration of a resolution received from the house of representatives on the 6th inst. appointing a justice of the peace for Franklin county,

Which was again read and concurred in.

Ordered, that the clerk acquaint the house of representatives therewith.

Mr. Walker introduced

A bill to authorize the treasurer of west Tennessee to pay certain monies to the trustees of certain counties in the western district, and

Mr. Frey

A bill to continue in force the provisions of an act passed at the last session of the general assembly,

Which bills were both read the first time and passed.

In conformity with a joint resolution heretofore adopted the speaker and gentlemen of the senate repaired to the hall of the house of representatives for the purpose of taking into consideration, the propriety of recommending to the good people of this state, at the next general election to vote for or against the call of a convention, and were invited to seats within the hall.

Whereupon,

The two houses resolved themselves into a committee of the whole, Mr. Hall in the chair; when

On motion it was

Ordered, that the clerk of the senate and the clerk of the house of representatives each keap a journal of proceedings of this committee, and that the same be printed and appended to their respective journals.

After some time spent in committee, the committee rose, and Mr. Hall reported to the two house, that the committee of the whole of both houses had adopted a resolution by a constitutional majority, recommending to the electors at the next general election to vote for or against a call of a convention.

Which report was concurred in by both branches of the general assembly,

And then the speaker and gentlemen of the senate returned to their own chamber and the speaker resumed the chair.

On motion of Mr. Bradford,

A resolution received from the house of representatives on the 19th ult. appointing justices of the peace for Bedford county, was taken up, again read and concurred in.

Ordered, that the clerk acquaint the house of representatives therewith:

Mr. Bradford submitted the following resolution:

Resolved by the general assembly of the stateof Tennessee,

That James H. Lile, Joseph Rawson, Aaron Boyd, George Cobb, Willie Thomas, John Stephens of the Barren fork, William Ring, Wilson Steele, William M'Clure, Jordan Holt, Samuel Neille and David Appleby, be, and they are hereby appointed justices of the peace for the county of Bedford.

On motion of Mr. Bradford,

The rule of the senate requiring resolutions to lie one day upon the table, was supended.

The above resolution was then read and adopted

Ordered, that the clerk acquaint the house of representatives therewith, and ask their concurrence therein.

On motion of Mr. Johnson,

Ordered, that Mr. Smartt have leave of absence 'till Monday next, in consequence of extreme indisposition of his family.

Mr. Reynolds withdrew for amendment

A bill to incorporate the subscribers to the Union Insurance Company

A bill for the relief of John Sutton and Samuel Buchanan.

A bill to authorize the drawing of a lottery for the benefit of the Shelbyville Dickson Academy in the county of Bedford.

A bill for the benefit of the citizens of the county of Sevier, residing between Bays mountain and the river Holston.

Were severally read the second time and passed.

A message from the house of representatives by Mr. Campbell their clerk.

Mr. Speaker:

The speaker of the house of representatives did this day sign an enrolled bill entitled.

An act to alter the name of the person therein named, and ordered the same to be transmitted to the senate to receive the signature of their speaker.

And then he withdrew.

The speaker signed said enrolled bill.

Ordered, that the clerk deposit the same in the office of the secretary of state.

A bill to provide for honest claimants and to prevent speculation in county claims,

Was read the second time and rejected.

A bill supplemental to an act entitled an act to annex part of Marion county to the county of Franklin.

A bill for the benefit of Jacob Rich of Franklin county,

Were both read the third and last time passed and Ordered, to be engrossed.

A bill for the relief of Andrew Doniver,

Was read the third time and passed.

Mr. Reynolds submitted the following resolution:

Resolved, that a joint select committee be appointed, with instructions to report a bill directing the returning officers for the next general election, what shall be their duty in receiving, counting and transmitting the votes of the electors for or against a convention to the seat of government in order that the same may be laid before the next general assembly.

According to a rule of the senate said resolution lies one day upon the table.

Mr. Nelson introduced

A bill giving further time to make surveys and obtain patents on entries north and east of the congressional reservation line, under the acts of 1825.

Which bill was read the first time and passed.

The senate took up and proceeded to the consideration of a bill further to provide for the occupants of the western district, which was on its third and last reading in both houses.

Mr. Brown moved to strike out the third section, which provided that owners of warrants might file therein with any surveyor general and authorize him to locate such part or parts of such warrant to any occupant or occupants in such propositions as they might be entitled under the act of 1825 to cover his or their improvements, and that if the whole of such warrant should not be purchased by occupants the owner of the residue thereof might enter such ballance in the manner in which the occupant entries were made

Which was agreed to by the senate.

Mr. McMeans then offered an amendatory section to follow the third section, which provided that two or more occupants might enter not less than 25 nor more than 200 acres to cover their improvements provided they lay adjoining, upon the same warrant, and grants to issue thereon as in other cases,

Which was also agreed to by the senate.

Ordered, that said bill and amendments lie upon the table.

And then the senate adjourned.

FRIDAY, NOVEMBER 10, 1826.

Mr. Anderson presented

A petition of sundry citizens of Knoxville, praying that the limits of said town be so extended as to include the suburbs of said town within said corporation.

Also, a petition of sundry citizens residing in the suburbs of Knoxville between first creek and said town, protesting against being included within said corporation.

Mr. Johnson

A petition of Robert C. Davis of Wilson county, praying to be allowed to hawk and peddle without the payment of any tax therefor.

Also, a petition of the distributees of the estate of Alexander Kirkpatrick dec'd. praying the passage of a law to authorize the executors of said estate to sell a certain tract of land in Henry county as said land cannot be divided without injury to the distributees.

Ordered, that all of said petitions be referred to the committee of propositions and grievances.

The senate then took up and proceeded to the consideration of a resolution submitted yesterday by Mr. Reynolds, to raise a joint committee, &c.

Which was again read and adopted.

Mr. Reynolds and Mr. Bradford were appointed to be of said committee on the part of the senate.

Ordered that the clerk acquaint the house of representatives therewith and ask their concurrence therein.

A message from the house of representatives by Mr. Campbell their clerk.

Mr. Speaker:

The house of representatives have taken up on its third and last reading in both houses

A bill to apportion the representation in the general assembly of Tennessee and propose amending the same by adding the county of M'Nairy to the representative district composed of the counties of Lawrence, Wayne and Hardin.

Also, to strike out 'Delphi' for the purpose of inserting 'Mount Airy.'

Also, by striking out 'Somerville' for the purpose of inserting 'Bolivar' for the representatives return.

Also, strike out John Leathers and insert Charlotte and Centreville alternately commencing at Charlotte, on which amendments they ask your concurrence.

And then he withdrew.

The said message was then read at the clerks table.

Mr. Walker moved to nonconcur in so much of said message as proposes to annex M'Nairy county to the Lawrence district.

And the question thereon was taken,

And determined in the affirmative.

There being ayes 13 noes 4.

The ayes and noes being required.

Those who voted in the affirmative are,	Those who voted in the negative are,
Mr. Speaker Foster,	Mr. Bradford,
Annis,	Gass,
Anderson,	Henderson, &
Cleveland,	Simpson—4.
Fry,	
Hall,	
Hughes,	
Johnson,	
M'Mecins	
Nelson	
Preston	
Reynolds &	
Walker—13.	

And so much of said message as annexes M'Nairy

county to the Lawrence district was nonconcurred in.

The question was then taken,

Will the senate agree to the balance of the amendment contained in said message.

And determined in the affirmative.

Ordered, that the clerk acquaint the house of representatives therewith:

Mr. Frey submitted the following resolution:

Resolved by the general assembly of the state of Tennessee,

That military warrants,

No. 1014 to James Bralcher
No. 1231 to Daniel Twigg,
No. 1223 to John Bryan,
No. 1232 to heirs of P. Taylor,
No. 1226 to heirs of Josiah Parr,
No. 1225 to heirs of Philip Thomas,
No. 1034 to Wm. Gregorys assignee and
No. 1227 to heirs of Wm. Parker, be referred to the commissioner for adjudication.

According to a rule of the senate, said resolution lies one day upon the table.

A message from the house of representatives by Mr. Campbell their clerk.

Mr. Speaker:

The house of representatives concur in your resolutions appointing justices of the peace for the counties of Carter, Humphreys, Henry, Weakley, Perry, and Bedford.

They have adopted the following resolution in which they ask your concurrence.

Resolved by the general assembly of the state of Tennessee,

That the following persons be, and they are hereby appointed justices of the peace in and for their respective counties to wit:

For Maury county, Samuel Crawford, John Porter, James Osbourne, James L. Crawford, Thomas English and Samuel W. Aiken.

For Giles county, Samuel Shields, Daniel Goodrum, Joseph Goode, Sterling Graves, Joseph C. Harten, Alfred Flournoy. Benjamin Hamilton, James S. Haynes, Thomas C. Porter and Alexander Thompson.

For Haywood county, Matthew Rhea, Gideon Pace, Samuel P. Ashe, Daniel Cherry, Oliver Wood and John Roddy.

For Madison county, Daniel Madding, Bird B. Smith, William Robertson, Samuel W. Givens, William Steele, Robert Hughes, Henry Marsh, Francis Wallace and Singleton Copeland.

For Perry county, Matthew Clanton and Dempsy E. Briteman.

For Gibson county, Abraham B. Lea and John R. Raines.

For Dyer county, Zachariah Paine and John Kimley.

For Henderson county, John C. Walker.

For Jackson county, William Locke.

For Montgomery county, James Williams, Charles Minor, Matthew Rogers, Jeremiah P. Bellamy and James Reasons.

For Henry county, Austin M. Coates, Francis A. Poindexter, William Turner and Sterling Peterson.

For Weakley county, Jonathan Gilbert and Perry Vincent.

For Obion county, John M'Gee and John Hubbart.

For Wilson county, Etheldridge P. Horne.

And then he withdrew.

Mr. Brown moved to suspend the rule of the senate requiring resolutions to lie one day upon the table, so far as it affects the appointments of justices of the peace for Giles county, and

Mr. Reynolds so far as it effects the appointment of justices of the peace for Maury county.

Both of which motions were agreed to by the senate.

So much of said resolution as appoints justices of

the peace for Maury and Giles counties, was then read and concurred in.

Ordered, that the clerk acquaint the house of representatives therewith.

The senate again took up and proceeded to the consideration of a bill to further provide for the occupants of the western district.

Mr. Reynolds moved further to amend said bill by striking out of the caption thereof the words of the western district and insert in lieu thereof the words south and west of the congressional reservation line,

Which amendment was agreed to by the senate.

Mr. Reynolds then moved further to amend said bill by extending the same privilege to all occupants who may be in that section of country at the passage of this act, as is allowed in this act to occupants who were such on the 1st day of May last under the act of 1825.

And the question thereon was taken,

And determined in the negative,

There being ayes 8 noes 8.

The ayes and noes being required.

Those who voted in the affirmative, are	Those who voted in the negative, are
Mr. Bradford,	Mr. Speaker Foster,
Cleveland,	Amis,
Gass,	Anderson,
Henderson,	Frey,
McMeans,	Hall,
Nelson,	Hughes,
Preston, &	Johnson &
Reynolds—8	Simpson,—8.

And so the said motion was lost, for according to a rule of the senate, where there is an equal division of the vote the motion fails.

Ordered, that said bill and amendments lie upon the table.

Mr. Brown introduced

A bill for the relief of William R. Davis.

Which bill was read the first time and passed.

Received from the house of representatives,

A bill to amend an act to incorporate a company for opening a turnpike road from Nashville to Columbia, passed November 19, 1825.

Which bill was read the first time and passed.

A bill directory to the county taker of the Hiwassee District, and

A bill for the relief of William Scott,

Were both read the second time and passed.

A bill to authorize Reuben Ross to open a turnpike road,

A bill for the benefit of Alexander Campbell, a cripple of Dickson county,

Were both read the third and last time, passed and

Ordered to be engrossed.

A bill for the benefit of the owners of public ferries,

Was read the third and last time and rejected.

Mr. Reynolds returned

A bill to incorporate the subscribers to the Union Insurance company.

Ordered that said bill lie upon the table.

And then the senate adjourned.

MONDAY, NOVEMBER 13, 1826.

Mr. Hall presented

A document showing sundry interfering land claims, and

Mr. Johnson

A petition of William Seawell, praying the issuance of a certificate to him for so much of grant 16167 as may be taken by an older grant to Marmicau Hunt.

Ordered that said document and petition be referred to the committee on land claims.

Mr. Johnson from the committee on enrolled bills,

reported, that they had examined and found truly enrolled

An act to authorize Reuben Ross to open a turnpike road,

An act for the relief of Captain Crawford of Maury county,

An act to establish academies in the counties of Marion and Bledsoe,

An act for the benefit of Alexander Campbell a cripple of Dickson county,

An act supplemental to an act entitled "An act to annex a part of Marion county to Franklin county."

An act for the benefit of Jacob Rich of Franklin county, and

An act supplemental to an act, entitled "An act to establish offices for receiving entries for the vacant land in the several counties in this state, north and east of the congressional reservation line, and north of Tennessee river, passed 22nd November 1825.

The Speaker of the Senate signed said enrolled bills,

Ordered that the clerk transmit them to the house of representatives, to receive the signature of their speaker.

The senate then took up and proceeded to the consideration of

A resolution submitted by Mr. Frey on Friday referring certain military warrants for adjudication.

Which was again read and adopted.

Ordered that the clerk acquaint the house of representatives therewith and ask their concurrence therein.

The senate then took up and proceeded to the consideration of

A resolution received from the house of representatives on Friday, appointing justices of the peace for the counties therein named.

Which was again read and concurred in.

Ordered that the clerk acquaint the house of representatives therewith.

Mr. *Anderson* submitted the following resolution.

Resolved, by the general assembly of the state of Tennessee;

That John McMillan and William Craighead be, and they are hereby appointed justices of the peace for the county of Knox.

Mr. Bradford the following:

Whereas:

The great depression in the price of produce, and the consequent scarcity of a circulating medium, has produced much pecuniary embarassment throughout the country.

And whereas:

It becomes the duty of all wise legislatures to adopt such regulations as will, as far as practicable, meet the exigencies of the country over which they may preside, without impairing the obligations of private contracts, or disregarding those principles of sound policy which has hitherto marked the progress of all prudent governments.

Therefore:

Resolved, that a joint select committee be appointed to confer with the president and directors of the bank of the state of Tennessee, on their ability of adopting such regulations as will put into circulation amongst the people of the different counties, an additional circulating medium, in some measure adequate to the business of the county, but which will not impair their ability to continue the prompt payment of their notes, as heretofore, in specie.

According to a rule of the senate, said resolution lies upon the table one day.

A message from the house of representatives by Mr. Campbell their clerk.

Mr Speaker.

The Speaker of the house of representatives did this day sign enrolled bills entitled

An act for the relief of Andrew Donever.

An act to apportion the representation in the general assembly of Tennessee, and

An act to authorize the county court of Hardeman county to lay a tax to complete the building of a court house in the town of Bolivar.

And directed the same to be transmitted to the senate to receive the signature of their speaker.

They have concurred in your resolution to appoint a joint select committee with instructions to report a bill directing the duty of sheriff in receiving and returning the votes for or against the call of a convention. Also

In your resolution referring certain military land warrants to the commissioner for adjudication.

They have adopted the following resolution, in which they ask your concurrence.

Resolved, that military land warrant no. 67, issued to Willis Johnson for 132 acres, be referred to the commissioner of land claims for adjudication.

And then he withdrew.

According to a rule of the senate, said resolution lies one day on the table.

The speaker signed the enrolled bills received from the house of representatives.

Ordered that the clerk deposit them in the office of the secretary of state

Mr. Bradford introduced

A bill for the benefit of the minor heirs of John Peacock, dec'd.

Mr. Hall

A bill for the relief of Wilson Cage,

Mr. Walker

A bill to incorporate Bolivar academy in the county of Hardeman, and

A bill to incorporate the town of Somerville in the county of Fayette, and

Mr. McMeans

A bill for the relief of Sampson Black and others.

Which bills were severally read the first time and passed.

On motion of *Mr. Bradford*

It was resolved, that a joint select committee be appointed, to whom shall be referred "*A* bill for the relief of purchasers or assignees of the purchasers of the land claimed in the reservation of John Hildebrand, taken on the Hiwassee river, under the late treaties with the Cherokee nation of Indians," and that they be instructed to examine and report the nature and situation of those purchasers.

Mr. Henderson, Mr. *Bradford*, Mr. HcMeans and Mr. Brown were appointed to be of said committee on the part of the senate.

Ordered, that the clerk acquaint the house of representatives therewith, and ask their concurrence therein.

On motion of Mr. Henderson

A bill for the relief of Allan D. Gentry was referred to the above mentioned committee.

On motion of Mr. Preston,

A bill for the relief of Jesse Mayfield, of McMinn county, was also referred to the above mentioned committee,

Received from the house of representatives,

A bill for the relief of Elijah Tilford,

A bill for the relief of the heirs of Lewis Odom,

A bill for the benefit of Edward Durant,

A bill for the relief of Elizabeth White,

A bill to amend an act, entitled an act for the relief of insolvent debtors, with respect to the imprisonment of their bodies.

A bill for the benefit of the principal surveyor of the tenth district,

A bill to establish a third battalion in the ninth regiment of Tennessee militia.

A bill to amend an act, entitled an act supplemental to an act to dispose of the lands lying between the rivers Hiwassee and Tennessee, passed November 23, 1825.

A bill for the benefit of Early Benson and George Bowers, and for other purposes,

A bill to provide for building of a jail in Montgomery county,

A bill for the relief of the solicitor of the eighth solicitorial district, and

A bill to establish the tenth judicial circuit in the state of Tennessee and for other purposes,

Which bills were severally read the first time & passed.

Received from the house of representatives,

A bill to modify an act of 1817 to prohibit dueling.

Which was read the first time.

And the question thereon was taken.

Shall the said vill pass?

And determined in the affirmative.

There being ayes 10, nays 6.

Those who voted in the affirmative, are	Those who voted in the negative, are
Mr. Brown,	Mr. Amis,
Bradford,	Cleveland,
Frey,	Henderson,
Gass,	Johnson,
Hall,	Nelson, and
Hughes,	Preston—6
M'Clanahan,	
M'Means,	
Simpson &	
Walker—10.	

And so the said bill passed.

A bill to amend the laws respecting Cumberland college,

A bill vesting particular powers in the county court of Monroe county,

A bill to repeal an act, entitled "an act directing certain papers to be read in evidence in suits concerning Indian reservations, taken under the late treaties with the Cherokee nation of Indians," passed Nov. 30, 1825, and

A bill for the relief of S. H. Douglass.

Were severally read the second time and passed.

A bill to authorize the drawing of a lottery for the benefit of Samuel Hogg.

Was read the third time and passed.

A bill for the relief of Joshua Hadly,

A bill to amend an act passed the 4th October, 1825, entitled "an act for the the relief of the heirs of Elisha Purdum, dec'd.

A bill for the relief of Jonathan Bachman,

A bill to change the names of the persons therein mentioned

Were severally read the third and last time, passed, and

Ordered to be engrossed.

A bill for the benefit of John Proffert of Sullivan county.

Was read the second time and rejected.

Mr. Reynolds withdrew for amendment,

A bill to incorporate the Hiwassee Canal company,

Mr. Bradford submitted the following resolution:

Resolved, that the proper owner be authorized to file with the commissioner of land claims military warrant no. 49 for 274 acres, for adjudication, as in other cases.

According to a rule of the senate, said resolution lies one day upon the table.

And then the senate adjourned.

TUESDAY, NOVEMBER 14, 1826,

Mr. Gass presented

A petition of Samuel Allen of Greene county, praying the passage of a law to authorize him to erect a mill and other machinery on Nolichucky river, and

Mr. Hughes

A petition of sundry citizens of Smith county, praying the passage of a law to authorize the payment to Edward Suttle of the value of a negro fellow who was executed in said county,

Ordered, that said petitions be referred to the committee of propositions and grievances.

Mr, Frey from the joint select committee on land claims, reported

That they had had under consideration.

A petition of sundry citizens of Washington county, praying the passage of a law vesting the right of one hundred & fifteen acres of land in Jacob Hunter, also

A petition of Richard Searcy, also of Jonas Bradley, and also of Robert Brownfield, each praying the issuance of duplicate land warrants, and beg leave to report the prayers contained in said petitions unreasonable,

The senate concur in said report.

Mr. Frey from the same committee, reported the following resolution.

Resolved by the general assembly of the state of Tennessee,

That grants nos, 9154, 1613, 1664, 860, 3201, 4780, 16467, 318, 16541, 16540, 21310 and 1168 e referred to the commissioner for adjudication, and if it shall appear to the satisfaction of said commissioner, that they are interfered with by older and better title, to issue certificates as in other cases, which certificates, when issued, may be located south and west of the congressional reservation line.

The said resolution was read and adopted.

Ordered, that the clerk acquaint the house of representatives therewith.

The senate took up and proceeded to the consideration of

A resolution submitted by *Mr. Anderson*, appointing justices of the peace for Knox county.

Which was again read and adopted.

The senate then took up and proceeded to the consideration of

A resolution submitted by Mr. Bradford on yesterday, referring military warrant no. 49 fo. adjudication.

Which was again read and adopted.

Ordered that the clerk acquaint the house of representatives with the adoption of said resolutions, and ask their concurrence therein.

The senate then took up and proceeded to the consideration of

A resolution received from the house of representatives on yesterday, referring military warrant no. 67 for adjudication.

Which was again read and concurred in.

Ordered that the clerk acquaint the house of representatives therewith.

The senate then took up and proceeeed to the consideration of

A preamble and resolution submitted by Mr. Bradford on yesterday to appoint a joint select committee to confer with the president and directors of the bank of the state on their ability to put into circulation in the different counties, a larger portion of money.

Which preamble and resolution was again read,

And the question thereon was taken,

Will the senate adopt said preamble and resolution?

And determined in the negative.

There being ayes 3, noes 15.

The ayes and noes being required,

Those who voted in the affirmative, are	Those who voted in the negative, are
Mr. Bradford,	Mr. Speaker Foster,
Cass &	Amis,
Henderson—3.	Anderson,
	Brown,
	Cleveland,
	Frey,
	Hall,
	Hughes,
	Johnson,
	McClanhan,
	McMeans,

Nelson,
Preston,
Simpson &
Walker—15.

And so the said preamble and resolution was not adopted.

Mr. Gass submitted the following preamble, reasons and resolutions.

Whereas:

A resolution has been adopted, authorizing the people of this state to vote for or against a convention.

And whereas:

It may be proper that they should be duly apprised of the considerations which have induced this general assembly to adopt said resolution, the following reasons are submitted.

1. That all power is inherent in the people, and all free governments are founded in their authority, and instituted for their peace, safety and happiness, and for the advancement of those ends they have at all times an unalienable and indefeasible right to alter, reform or abolish the government in such manner as they think proper.

And whereas:

Under the provisions of the constitution, the power is vested in the general assembly to authorize the people of this state by legislative recommendation to exercise the important rights, secured to them by the before recited article.

2. The condition and circumstances of the country are materially changed since the year 1793, when the present constitution no provision is contained for fixing permanently the seat of government. In consequence of which the legislature have adjourned from place to place, and may continue to do so, at the will of a majority of both branches of the general assembly, those frequent removals have been and will be productive of much inconvenience

3d. *According* to the provisions of the constitu

tion, no one hundred acres of land can be taxed higher than another, and the best town lot in the state is liable to pay no higher taxes than two hundred acres of the poorest land: which system of taxation imposes unequal burthens upon the people, and is unjust and oppressive in its operations upon the owners and occupiers of land of inferior quality, and is inconsistent with the spirit and genius of a republican government.

4th. The number of members of the general assembly is now limited to twenty senators and forty representatives—this limitation prevents a full and equal representation of the different parts of this state, and enables eleven senators to control the affairs of 30000 freemen: this inconvenience is daily increasing, and can only be remedied by a convention of the people.

5th. No express prohibition or restriction is contained in the constitution in regard to the incorporation of banking associations, composed of individuals whose private property is not subject to the payment of their debts, and experience has fully demonstrated, that such exemptions of private property from the payment of the debts of the corporations, tends to the greatest abuses, encourage extravagant speculations and fraud, and occasions much loss and injury to the great majority of the people.

6th. The enumeration of free taxable inhabitants, and the apportionment of representation in conformity thereto, are required to be made once in every period of seven years, under which provision of the constitution the first apportionment was made in the year 1793, consequently every second period of apportionment occurs between the regular period of the stated sessions of the General Assembly, by reason whereof it has heretofore been necessary to convene extra sessions of the Legislature at a great expense, which necessity cannot be dispensed with, so long as the present constitution remains unaltered.

7th. The expense of the enumeration for the representation every seven years, is something like $2500, which could be avoided by fixing the period of apportionment every two years, and taking the enumeration made by the general government as the data for making the same.

Therefore:

Resolved, That the captains of each company of militia shall, on the Saturday immediately preceding the election to be held in August 1827, read to their respective companies the foregoing reasons and resolutions.

Resolved, That the voters at the next general election in voting for or against a convention, those who are opposed to a call of a convention shall state on their tickets, no convention; and all tickets without this endorsement shall be counted for a convention.

The said preamble, reasons and resolutions was read at the clerk's table.

Ordered, That said preamble, reasons and resolutions be referred to the joint select committee appointed to draft a bill directing the duty of sheriff's in receiving, counting and transmitting the votes for or against a convention to the seat of government.

Mr. McMeans submitted the following resolution:

Resolved by the general assembly of the state of Tennessee,

That William Redman, George Akors, Littleberry White and John Hargis be, and they are hereby appointed justices of the peace for Carroll county.

According to a rule of the senate, said resolution lies one day upon the table.

Received from the house of representatives,

A bill granting certain privileges to Henry Hagan proprietor of Mineral Springs in the county of Sumner.

Which bill was read the first time,

And the question thereon was taken,

Shall the said bill pass?

It was determined in the negative.

There being Ayes 6, Noes 13.

The ayes and noes being required,

Those who voted in the affirmative, are	Those who voted in the negative, are
Mr. Brown,	Mr. Speaker Foster,
Frey,	Amis,
Hall,	Anderson,
Henderson,	Bradford,
McMeans, &	Cleveland,
Walker—6.	Gass,
	Hughes,
	Johnson,
	M'Clanahan,
	Nelson,
	Preston,
	Simpson, &
	Smartt—13.

And so the said bill was rejected.

On motion of Mr. M'Means,

The senate took up a resolution submitted by him on the 8th inst. proposing to go into an election of a fifth Judge of the supreme court on to day.

The said resolution was again read.

Mr. McMeans moved to amend said resolution by striking out to day, and insert in lieu thereof, Tuesday the 21st inst. which was agreed to by the senate.

On motion of Mr. Bradford,

Ordered, That said resolution, as amended, lie upon the table indefinitely.

Mr. Reynolds returned a bill to incorporate the Hiwassee Canal Company, without amendment.

Ordered, That said bill lie upon the table.

On motion of Mr. Walker,

The senate again took up and proceeded to the consideration of "A bill to further provide for the occupants of the Western District."

Mr. Bradford moved further to amend said bill by striking out of the first section, the words "on or be-

fore the first day of May 1826," and inserting in lieu thereof the words "at the passage of this act."

And the question thereon was taken,

And determined in the affirmative.

There being Ayes 10, Noes 9.

The ayes and noes being required:

Those who voted in the affirmative are,	Those who voted in the negative, are
Mr. Brown,	Mr. Speaker Foster,
Bradford,	Amis,
Cleveland,	Anderson,
Gass,	Frey,
Henderson,	Hall,
*Mc*Clanahan,	Hughes,
M'Means,	Johnson,
Preston,	Nelson, &
Smartt and	Simpson—9.
Walker—10.	

And so the said amendment was agreed to.

Ordered, That the clerk do, by message, acquaint the house of representatives with the several amendments proposed to said bill, and ask their concurrence therein.

Mr. Walker introduced a bill for the relief of Oliver Simpson,

Which bill was read the first time and passed.

A message from the house of representatives by Mr. Campbell their clerk.

Mr. Speaker:

The house of representatives nonconcur with your proposition to raise a joint select committee to whom shall be referred the several bills now before the legislature granting relief to purchasers of land in the Hiwassee District, and who have lost their lands by indian reservations.

And then he witherew.

Ordered, that Mr. Hall have leave to withdraw from the clerks table, the petition of Richard Searcy and Mr. Hughes the petition of Jonas Bradley, both praying the issuance of duplicate land warrants, and

which have been reported unreasonable by the committee on land claims.

And then the senate adjourned.

WEDNESDAY, NOVEMBER 16, 1820.

Mr. Henderson presented

A petition of Henry Stephens, stating that he purchased two lots of land at the Hiwassee land sales, and upon examining the lines he ascertained that they run into and contain part of the Chilhome mountains, and praying to be relea ed from the payment of such part as runs into said mountain.

Ordered, that said petition be referred to the committee of propositions and grievances.

Mr. Hughes presented the transcript of the record of the trial in Smith county in the case of the state against Daniel on the charge of rape.

Ordered, that said transcript accompany the memorial, presented by Mr. Hughes on yesterday praying that Edward Little be paid for the negro slave Daniel who was executed in Smith county.

The senate then took up and proceeded to the consideration of a resolution submitted by Mr. M'. Means on yesterday appointing justices of the peace for Carroll county,

Which was again read and adopted.

Ordered that the clerk acquaint the house of representatives therewith and ask their concurrence therein.

Mr. Hull from the joint committee on the judiciary.

Reported,

A bill to alter and amend the judiciary system of the state of Tennessee.

The said bill was read the first time and passed.

A bill to incorporate the Union Insurance Company of Tennessee,

Was read the second time.

Mr. Brown moved to amend said bill by striking

out of the caption the words 'union insurance company of Tennessee' and insert in lieu thereof the words, the Nashville insurance company in the state of Tennessee, also to amend the body of the bill to correspond thereto.

Which was agreed to by the senate.

Mr. Brown also, offered an amendatory section to said bill which made said corporation subject to the future control of the legislature.

Which was also, agreed to by the senate.

The said bill as amended was then passed the second time.

Received from the house of representatives,

A bill showing how judicial officers shall act before they pronounce any law unconstitutional,

Which bill was read the first time.

And the question thereon was taken,

Shall the said bill pass?

It was determined in the negative,

There being ayes 3, noes 16.

The ayes and noes being required.

Those who voted in the affirmative are,	Those who voted in the negative are,
Mr. Speaker Foster,	Mr. Amis,
Gass, &	Anderson,
Simpson—3.	Brown,
	Bradford,
	Cleveland,
	Frey,
	Hall,
	Henderson,
	Hughes,
	Johnson,
	M'Clanahan,
	M'Means
	Nelson
	Preston
	Smartt &
	Walker—16.

And so the said bill was rejected.

Mr. Brown introduced

A bill revising and amending the laws prohibiting the introduction of slaves into this state as articles of merchandize.

Mr. Simpson

A bill to authorize the drawing of a lottery for the purpose of removing the obstructions in the caney fork river, and

A bill to encourage domestic manufacture.

Mr. M'Means

A bill to further provide for the better regulation of the town of Dover in the county of Stewart.

Mr. Bradford

A bill regulating the duty of the clerks and sheriffs of the different counties in relation to receiving and counting the votes for or against a convention, at the next general election and for other purposes.

Mr. Foster

A bill to authorize Charles I. Love to erect a turnpike road.

Mr. Walker

A bill for the relief of Patrick Meagher of Shelby county, and

A bill for the benefit of Jane Reynolds of Shelby county.

The said bills were severally read the first time and passed.

On motion of Mr. Preston,

The senate took up and proceeded to the consideration of a message received from the house of representatives on the 6th inst. proposing the 1st of December as the day after which no bills shall be introduced into either branch of the general assembly.

The said message was again read.

Mr. Preston moved to disagree to the day proposed by the house of representatives and propose to substitute the 22d instant as the day after which no bills shall be introduced.

Which was agreed to by the senate.

Ordered, that the clerk do by message acquaint the house of representatives therewith and ask their concurrence therein.

Received from the house of representatives,

A bill to make lawful grants and entries to land within five miles of the falls of the cany fork.

A bill to make it lawful for house holders to view and mark roads.

A bill to repeal all laws now in force in this state concerning indian reservations and for other purposes.

A bill for the relief of Joseph Calloway.

A bill for the relief of James Bradford of Jefferson county, and

A bill to subject to entry a tract of land lately owned by Walter Sims in Hawkins county,

Which bills were severally read the first time and passed.

A bill for the relief of the solicitor of the 8th solicitorial district.

A bill for the relief of John Pavat of Humphreys county.

A bill to authorize James Rogers to open a turnpike ad.

A bill for the benefit of Jesse Gallaway of Roane county, and

A bill to incorporate the Hiwassee canal company.

Were severally read the second time and passed.

A bill to repeal the laws respecting cotton gins.

A bill to legalize the official acts of John Hannah sen'r.

A bill to authorize the clerks of the county courts and circuit courts of Morgan county to keep their offices at their own houses and

A bill to cause cases now pending in the circuit court of Marion county for lands lying in Franklin county to be transferred to the circuit court of Franklin county,

Were severally read the third and last time passed and

Ordered, to be engrossed.

Mr. M'Means withdrew for amendment

A bill to continue in force the provisions of an act passed at the last session of the general assembly.

And then the senate adjourned.

THURSDAY, NOVEMBER 16, 1826.

Mr. Anderson from the joint committee on education, made the following report:

The committee on education to whom was referred a memorial of the trustees of Cumberland College,

Report,

That they have had the same under consideration and so much thereof as asks this general assembly to alter the instructions given our senators in congress, in a memorial addressed to the congress by the general assembly at its last session in trying to procure a relinquishment from the United states to the vacant soil south and west of the congressional reservation so as to appropriate a part thereof to colleges is unreasonable.

And so much thereof as prays the passage of a law changing the name of Cumberland College to that of 'the University of Tennessee,' also, so much thereof as prays the passage of a law to authorize the drawing of a lottery for the benefit of said institution is reasonable.

The committee recommend the adoption of a resolution referred to them, instructive to our senators in congress, after striking out the words for the use of academies and common schools.

All which, is respectfully submitted,

JAMES ANDERSON, Chairman.

The said report was read at the clerks table.

Mr. Bradford moved a division of the question,

Which was agreed to by the senate.

The question was first taken on so much of said report, as makes an unreasonable report on that part of said memorial which prays an alteration in the instructions to our senators and representatives in congress and concurred in.

The question was then taken,

Will the senate concur in so much of said report as reports reasonable, that part of said memorial which prays that the name of Cumberland College be changed to the University of Tennessee.

And determined in the affirmative.

There being ayes 10, noes 9,

The ayes and noes being required.

Those who voted in the affirmative are,	Those who voted in the negative are,
Mr. Speaker Foster,	Mr. Amis
Brown,	Anderson,
Frey,	Bradford,
Hall,	Cleveland,
Hughes,	Cass,
Johnson,	Henderson,
M'Means,	M'Clanahan,
Simpson,	Nelson, and
Smartt and	Preston—9.
Walker—10.	

And so that part of said report was concurred in.

The senate then concurred in the balance of said report.

The resolution submitted by Mr. Cleveland and which had been referred to said committee, was then read, amended as recommended by said committee and adopted.

Ordered, that the clerk acquaint the house of representatives therewith and ask their concurrence therein.

Mr. Johnson from the joint committee on claims made an unfavorable report on a bill for the relief of Arthur M'Farland,

Which report was concurred in.

The said bill was then read the first time and rejected.

Mr. M'Means submitted the following resolution:

Resolved by the general assembly of the state of Tennessee,

That Paul H. Neely, Isaac Neely, William Patterson, John L. Houston, Jeremiah Wood, David S. Tomlin and Daniel M'Clarey, be, and they are hereby appointed justices of the peace for the county of Perry.

The rule of the senate, requiring resolutions to lie one day upon the table, was suspended.

The said resolution was then read and adopted.

Ordered, that the clerk acquaint the house of representatives therewith, and ask their concurrence therein.

A message from the house of representatives by Mr. Campbell their clerk.

Mr. Speaker:

The house of representatives concur in your resolution appointing justices of the peace for Carroll county.

Also, your resolution referring military land warrant No. 49 for 274 acres.

Also, in the resolution reported by the committee on land claims referring sundry grants for adjudication.

They have applied a resolution for the relief Wm. Armstrongs heirs.

A resolution to provide for the adjudication of the military warrants & certificates therein mentioned.

A resolution for the benefit of Rufus Mitchell.

And, a resolution providing for the issuance and adjudication of the grants and certificates therein specified, also the following:

Resolved, that a joint select committee to consist of four on the part of the house of representatives and two on the part of the senate, be appointed with instructions to examine the bank of the state of Tennessee in relation to the condition and state o

said bank, and its ability to continue specie payment, and that they report forthwith to this general assembly.

In all of which resolutions they ask your concurrence.

They also, concur in your resolution appointing justices of the peace for Perry county.

And then he withdrew.

According to a rule of the senate said resolution lies upon the table one day.

A bill to amend the laws respecting Cumberland College.

Was read the third time.

Mr. Henderson moved to amend said bill by inserting the word west, after the word of and before the word Tennessee in the name and style of the University proposed to be established by said bill.

And the question thereon was taken,

And determined in the negative.

There being ayes 9, noes 10.

The ayes and noes being required.

Those who voted in the affirmative are,	Those who voted in the negative are,
Mr. Amis,	Mr. Speaker Foster,
Anderson,	Brown,
Bradford,	Frey,
Cleveland,	Hall,
Gass,	Hughes,
Henderson,	Johnson,
M'Clanahan,	M'Means
Nelson &	Simpson,
Preston—9.	Smartt &
	Walker—10.

And so the said amendment was not agreed to.

The question was then taken,

Shall the said bill pass?

And determined in the affirmative.

There being ayes 10, noes 9.

The ayes and noes being required.

Those who voted in the affirmative are,	Those who voted in the negative, are
Mr. Speaker Foster,	Mr. Amis,
Brown,	Anderson,
Frey,	Bradford,
Hall,	Cleveland,
Hughes,	Gass,
Johnson,	Henderson,
M'Means,	McClanahan,
Simpson,	Nelson, &
Smartt and	Preston—9.
Walker—10.	

And so the said bill passed the third time.

A bill to establish a board for internal improvements in the state of Tennessee,

Was read the second time.

And the question thereon was taken,

Shall the said bill pass?

And determined in the negative.

There being ayes 8, noes 10.

The ayes and noes being required,

These who voted in the affirmative, are	Those who voted in the negative, are
Mr. Speaker Foster,	Mr. Anderson,
Amis,	Brown,
Bradford,	Cleveland,
Henderson,	Frey,
Nelson,	Gass,
Preston,	Hall,
Smart &	Hughes,
Walker—6.	Johnson,
	M'Clanahan, &
	McMean—10.

And so the said bill was rejected.

Mr. Bradford introduced a bill for the benefit of George S. Jarrett, and

Mr. Walker, a bill for the relief of Wm. Philips, late sheriff of Hickman county.

Which bills were both read the first time and passed.

Mr. Henderson submitted the following resolution:

Resolved, by the general assembly of the state of Tennessee, That the president and directors of the "Bank of the State of Tennessee," forthwith report to this general assembly, the precise amount of paper they have in their possession on the "Nashville Bank" and its branches.

According to a rule of the senate said resolution lies upon the table one day.

Mr. M'Means returned a bill to continue in force the provisions of an act passed at the last session of the general assembly, with a proposed amendment, which was agreed to by the senate.

Ordered, That said bill lie upon the table.

And then the senate adjourned.

FRIDAY, NOVEMBER 17, 1826.

Mr. Walker presented a petition of sundry citizens of Hardin county, praying that the seat of justice in said county may not be removed.

Ordered, That said petition be referred to the committee of propositions and grievances.

Mr. Frey, from the joint committee on land claims, reported the following resolution:

Resolved, by the General Assembly of the state of Tennessee, That Wm. M'Cormack and Henry Rowan, be permitted to file with the commissioner for West Tennessee for adjudication, grant No. 842 for 365 acres, dated 2d of December 1797, Granted by the state of North Carolina to said M'Cormack and Rowan, and if it shall appear to the satisfaction of said commissioner that the whole of said grant lies within the state of Kentucky, then and in that case he shall issue a certificate as in other cases.

Provided, said grant issued upon a good and valid warrant, and that no other grant ever issued upon said warrant, and that it shall be lawful for the register of West Tennessee to issue to Wm. Fleming

a certificate for 70 acres, being so much of warrant No. 1863 for 640 acres, issued to Allen M'Daniel.

Provided, the said Wm. Fleming shall make it appear to the satisfaction of said register that he is entitled to said 70 acres by legal assignment, and

Provided also, that he shall make it appear that said 70 acres has been located within the bounds of an older and better claim, which location shall be represented by a plat of some sworn Surveyor, who shall certify that he has surveyed the whole of said 70 acre entry, and so much of the better title as has enabled him to ascertain that the interference by him made out is correct.

The said report was then read and adopted.

Ordered that the clerk acquaint the house of representatives therewith, and ask their concurrence therein.

Mr. Brown made the following report:

The committee to whom was referred the communication of the Treasurer of West Tennessee, relative to the School Lands, begs leave to

Report, That in their opinion the act of the last session of the Legislature, relative to the sale of school lands, should be repealed.

Which report was read at the clerk's table.

And the question thereon was taken,

Will the senate concur in said report?

And determined in the negative.

There being Ayes 6, Noes 13.

The ayes and noes being required,

These who voted in the affirmative are,	These who voted in the negative are,
Mr. Anderson,	Mr. Speaker Foster,
Brown,	Amis,
Bradford,	Cleveland,
Henderson,	Frey,
Preston, and	Gass,
Smart—6,	Hall,
	Hughes,
	Johnson,

M'Clanahan,
M'Means,
Nelson,
Simpson, and
Walker—13.

And so the said report was not concurred in.

The senate took up and proceeded to the consideration of a resolution received from the house of representatives on yesterday, proposing the appointment of a joint select committee to examine and report the situation of the "Bank of the State."

Which was again read and concurred in.

The senate then took up the following resolutions received from the house of representatives on yesterday:

A resolution for the benefit of Rufus Mitchell.

A resolution for the relief of Randolph Ross.

A resolution to provide for the issuance of certificates therein mentioned, and

A resolution for the relief of William Armstrong's heirs.

Which resolutions were severally read and concurred in.

The senate then took up and proceeded to the consideration of a resolution received from the house of representatives on yesterday, to provide for the issuance and adjudication of the grants and certificates therein specified.

The said resolution was again read and concurred in, except so much thereof as provides for the issuance of a certificate to Richard Fenner, which was non concurred in.

Ordered that the clerk acquaint the house of representatives with the concurrence and non-concurrence of said resolutions.

The senate then took up and proceeded to the consideration of a resolution submitted by Mr. Henderson on yesterday, requiring certain information from the "Bank of the State."

Which was again read.

Ordered that said resolution lie upon the table.

Mr. Bradford submitted the following resolution.

Resolved, that the committee to whom was referred the bill repealing the law directing the treasurers of East and West Tennessee to sell certain lands heretofore laid off for the use of schools, be directed to draft a bill reserving the question of the right of the state to sell said lands to the supreme court of the United States, and,

Mr. Brown the following.

Resolved by the general assembly of the state of Tennessee,

That grant nat 285, which issued from the state of North Carolina, be referred to the commissioner for adjudication.

According to a rule of the senate, said resolution lies upon the day.

A message from the house of representatives by Mr. Campbell their clerk.

Mr. Speaker;

The house of representatives concur in the amendment by you proposed to

"A bill to further provide for the occupants of the Western District," except so much thereof as proposes to strike out the "1st day of March 1826," for the purpose of inserting, at the passage of this act, in which they nor concur.

They concur in your resolution instructive to our senators and representatives in Congress.

Also, in your resolution that no bills be introduced in either branch of this general assembly after the 22nd ult.

They have adopted the following resolution, in which they ask your concurrence.

Resolved by the general assembly of the state of Tennessee,

That the following persons be, and they are hereby appointed justices of the peace for their respective counties, to wit:

For Gibson county, Wm. C. Love, Joseph B. Dibrell, Augustine King and Benjamin Tyson.

For Williamson county, William Moore, Orran D. Moffit, William Rucker, George Poindexter, Wm. Carson, William G. Childress, Holland L. White, Fleming Casey and Wright Stanley.

For Washington county, Joseph McLin, William Gilleland and John Malonee.

And then he withdrew.

According to a rule of the senate, said resolution lies upon the table one day.

Mr. Brown introduced

A bill for the benefit of the person therein named

Mr. McMeans

A bill increasing the salary of the president of the bank of the state of Tennessee,

Mr. Henderson

A bill to legalize the official acts of the justices of the peace therein named, &

Mr. McClanahan, A bill to alter the names and make legitimate the persons therein named.

Which bills were severally read the first time & passed.

Received from the house of representatives,

A bill for the relief of William S. Blair.

A bill for the relief of Elizabeth Upton,

A bill for the relief of Isaac and Elizabeth Pearce,

A bill to repeal part of an act passed 1825, relative to the navigation of Red river.

A bill directing the officers therein named to perform certain duties,

A bill to authorize the drawing of a lottery to build a masonic hall in the town of Knoxville,

A bill directing duplicates to issue in lieu of warrant no. 385,

A bill to divorce Thomas G. Watkins from his wife Susanna W. Watkins, and

A bill for the relief of William Young of Hawkins county,

Which bills were severally read the first time and passed.

A bill for the relief of Allan D. Gentry,

A bill for the relief of Jesse Mayfield of McMinn county,

A bill for the relief of purchasers or assignees of the purchasers of the land contained in the reservation of John Hildebrand, taken on the Hiwassee river, under the late treaties with the Cherokee Indians.

A bill to amend an act entitled "an act supplemental to an act to dispose of the land lying between the rivers Hiwassee and Tennessee, and north of Little Tennessee river, passed November 23, 1825.

A bill for the relief of Andrew Taylor, late sheriff of Carter county;

A bill to continue in force an act passed at the last session of the general assembly, and

A bill for the relief of Sampson Black and others,

Were severally read the second time and passed.

A bill to authorize the building of a new jail in Lincoln county,

Was read the third time and passed.

A bill to further provide for the occupants south and west of the congressional reservation line, and

A bill for the benefit of David Richardson, clerk of the circuit court of Campbell county,

Were both read the third and last time, passed, and

Ordered to be engrossed.

The senate took up on its third and last reading,

A bill for the relief of William P. Cobb and others, owners of fish traps and dams in the county of Knox and for other purposes.

Mr. Cleveland moved to amend said bill by inserting Grainger county after "Knox county," in the fourth section.

Which was agreed to by the senate.

Ordered that the clerk do by message acquaint the house of representatives therewith and ask their concurrence therein,

Received from the house of representatives,

A bill directing the duty of treasurers and sheriffs in certain cases.

Which was read the first time and rejected.

A bill for the relief of Robert P. Harrison, surveyor of the second surveyor's district.

Was read the second time and rejected.

Mr. Nelson withdrew for amendment,

A bill for the benefit of persons having fractions of warrants or certificates heretofore filed in the surveyor's office of the sixth district, and

Mr. Frey

A bill for the benefit of Mark P. Duncan,

And then the senate adjourned.

SATURDAY, NOVEMBER 18, 1826.

Mr. Frey presented a certificate of survey showing the interference between grants No. 4845 and 300. Also, a certificate showing that an entry for 140 acres in the 4th surveyor's district, in the name of Jarret Huddleston, is taken and included within grant No. 300.

Ordered that said certificates be referred to the committee on land claims.

The senate then took up and proceeded to the consideration of a resolution submitted by Mr. Brown on yesterday, referring grant 285 for adjudication.

Which was again read and adopted.

Ordered that the clerk acquaint the house of representatives therewith, and ask their concurrence therein.

The senate then took up and proceeded to the consideration of a resolution submitted by Mr. Bradford on yesterday, directing the committee to whom was referred the bill to repeal the law authorizing the sale of School Lands, to draft a bill referring to the

supreme court of the United States the right of the state to sell those lands.

Mr. Bradford moved to amend said resolution by striking out so much thereof as proposes to refer said subject to the supreme court of the United States, and direct said committee to draft a bill appointing G. W. Campbell, W. L Brown and H, Crabb, esqs. a special court to try the right of the state to sell said lands, with a right of appeal to either party to the supreme court of the United States.

Which amendment was received.

On motion of Mr. McMeans,

Ordered that said resolution lie upon the table till the tenth day of January next.

The senate then took up and proceeded to the consideration of

A resolution received on yesterday from the house of representatives, appointing justices of the peace for the counties of Gibson, Williamson and Washington.

Which was again read and concurred in, except as to the appointment of William C. Love of Gibson county, which was nonconcurred in.

Ordered that the clerk acquaint the house of representatives therewith.

Mr. Smartt submitted the following resolution.

Resolved by the general assembly of the state of Tennessee.

That John McKaig, Abraham Evans jr. Jesse Edwards, William Young, William Brown, Joshua M. Farmington, William H. Allen, Robert McMurry & John Rust be, and they are hereby appointed justices of the peace for Warren county.

According to a rule of the senate, said resolution lies one day upon the table.

Mr. McMeans submitted the following resolution:

Resolved, that eight copies of the act entitled "An act to further provide for the occupants south and west of the congressional reservation line," be

immediately printed for the use of the surveyors & register of the *W*estern District.

On motion,

The rule of the senate requiring resolutions to lie one day on the table, was suspended and said resolution was adopted.

A message from the house of representatives by Mr. Campbell their clerk.

Mr. Speaker:

The speaker of the house of representatives having signed

An enrolled bill, entitled "an act to authorize the drawing of a lottery for the benefit of Samuel Hogg," I am directed to transmit it to the senate to the senate to receive the signature of their speaker.

They concur in your resolution for the benefit of William Fleming, William *Mc*Cormack and Henry Rowan.

Also, in your amendment to "A bill for the relief of William P. Cobb and others, owners of fish traps and dams in Holston river, &c, &c.

They have adopted

"*A* resolution to provide for the adjudication of the land claims therein specified."

In which they ask your concurrence.

And then he withdrew,

According to a rule of the senate, said resolution lies upon the table one day,

The speaker signed the enrolled bill received from the house of representatives.

Ordered that the clerk deposit it in the office of the secretary of state.

Mr. Walker introduced

A bill for the relief of John Rayburn, sheriff of Wayne county, and

Mr. Henderson

A bill to alter the county lines therein mentioned.

Which bills were both read the first time and passed.

Received from the house of representatives,

A bill for the relief of the sheriff of Claiborne county,

A bill to incorporate the town of Trenton in the county of Gibson,

A bill for the relief of Laban B. Williams of Sullivan county,

A bill for the benefit of the clerk of the circuit court of McMinn county,

A bill for the relief of the Nashville Bridge Company,

A bill to authorize George and Stephen Reed to retail certain articles without the payment of license,

A bill to authorize James and Alexander Street to build a mill on Duck River in Bedford county, and

A bill to amend an act supplemental to an act, passed October 5, 1824. entitled "an act for the encouragement of iron works,

Which bills were severally read the first time & passed.

A bill to amend an act to dispose of the lands lying between the rivers Hiwassee and Tennessee, and north of Little Tennessee river—passed November 10, 1819.

A bill for the benefit of the minor heirs of John Peacock dec'd, and

A bill to authorize the county court of Humphreys county to lay an additional tax to repair the court-house of said county and build a bridge across Cypress creek,

Were severally read the second time and passed.

A bill for the relief of William Scott:

Was read the third and last time, passed, and ordered to be engrossed.

Mr. Nelson returned

A bill for the benefit of persons having fractions of

warrants or certificates, heretofore filed in the office of the principal surveyor of the sixth district.

With an amendment, which was received.

The said bill as amended, was then read the third time and passed.

Mr. Frey returned

A bill for the benefit of Mark P. Duncan.

With an amendment, which was received.

The said bill as amended, was then read the first time and passed,

Mr. Johnson withdrew for amendment,

A bill for the benefit of Polly B. Caperton.

On motion of Mr. *Anderson*,

A bill to amend the 76th section of the militia laws of this state, and for other purposes, and

A bill changing the time of mustering the regiment of cavalry attached to the tenth brigade of Tennessee militia,

Were both referred to the military committee,

A bill to compel captains of companies to meet at their respective muster grounds, three days before the election in 1827, for the purpose of reading to their companies the reason of a call of convention.

Was read the first time and rejected.

Received from the house of representatives,

A bill to further prescribe the duty of registers, and

A bill for the relief of the persons therein named,

Which bills were both read the first time and rejected.

Mr. Walker submitted the following resolution.

Resolved by the general assembly of the state of Tennessee,

That the treasurers of this state shall not receive the notes of the Nashville Bank or its branches on account of the revenue of this state, except the persons who collected the same shall make oath that they received they received the same for public dues without the knowledge of said bank's having suspend-

a specie payment, until the further will of the general assembly be made known.

Mr. Walker moved to suspend the rule of the senate requiring resolutions to lie one day upon the table.

Which was agreed to.

The said resolution was then read, and after some time spent in the consideration thereof, it was

Ordered, that said resolution lie upon the table for further consideration.

And then the senate adjourned.

MONDAY, NOVEMBER 20, 1826.

Mr. Henderson presented a petition of Robert Smaling of Monroe county, stating that he was entitled to an occupancy on the north west quarter of section 29 fractional township 3 range 4 east of the meridian, and that he was dispossessed of said quarter by an act of the legislature which gave said quarter section to James Wear, and praying such relief as the legislature may think just and right.

Ordered, that said petition be referred to the committee of propositions and grievances.

The speaker laid before the senate, a report of the Nashville bank, shewing its situation and ability to pay its debts,

Which was read at the clerks table.

On motion of Mr. Bradford,

Ordered, that 300 copies of said report be printed for the use of the senate, and that said report be transmitted to the house of representatives for their consideration.

Mr. Cleveland from the committee of propositions and grievances, made the following report.

The committee have had under consideration the following petitions:

1 A petition of sundry citizens of Smith county, praying the passage of a law to pay Edward Suttle for a negro of his which was executed in said county.

2 A petition of sundry citizens of Morgan county, praying the repeal of a law passed at the last session, removing the seat of justice of said county.

3 A petition of Henry Stephens, praying to be released from the payment of part of the money due the state by him.

4 A petition of sundry citizens of Rhea county, praying an alteration in the line dividing said county from M'Minn county.

5 A petition of Susanna Everett, praying to be divorced from her husband Simon Everett.

5 A petition of John Chapman, praying the passage of a law to authorize the drawing of a lottery for his private benefit.

7 A petition of Philip Bell a free man of colour of Washington county praying the passage of a law to authorize him to prove his accounts by his own oath.

3 A petition of sundry citizens of Harden county protesting against the removal of the court house in said county, and praying if any law be passed upon the subject it will authorize the citizens of said county to vote for the present seat against any one place on the Tennessee river, to be designated in any way the legislature may direct.

9 A petition of the distributees of the estate of Alexander Kirkpatrick dec'd. praying to be allowed to sell a certain tract of land belonging to said estate in Henry county.

And beg leave to report the prayers contained in all said petitions are unreasonable.

MARTIN CLEVELAND, Ch'n.

Mr. Walker moved to nonconcur in so much of said report as reports unreasonable the prayer contained in the 8th mentioned of said petitions.

And the question thereon was taken,

And determined in the affirmative.

And so that part of said report was nonconcurred in.

Mr. Johnson then moved to nonconcur in so much of said report as reports unreasonble the prayer

contained in the 9th mentioned of said petitions.

And the question thereon was taken,

And determined in the affirmative.

And so that part of said report was nonconcurred in.

The balance of said report was then concurred in.

Mr. Cleveland from the same committee made a favourable report on the petition of Robert C. Davis praying to be allowed to hawk peddle without the payment of licence, also on the petition of Samuel Allen praying to be allowed to build a mill dam in Nolichnucky river,

Which report was concurred in.

Mr. Cleveland from the same committee reported a bill to annex part of Hickman county to Humphreys county.

On motion of Mr. Walker,

Ordered, that said bill be laid upon the table indefinitely.

Mr. Johnson from the committee on enrolled bills,

Reported,

That they had examined, and found truly enrolled.

An act for the relief of Joshua Hadley.

An act to amend an act passed 4th Oct. 1825 entitled an act for the relief of the heirs of Elisha Purdum dec'd.

An act to repeal the laws now in force respecting cotton gins.

An act to legalize the official acts of John Hannah, sen'r. a justice of the peace for the county of Harden.

An act to authorize the clerks of the county and circuit courts of Morgan county to keep their offices at their own houses.

An act for the relief of Jonathan Buchman, and

An act to cause cases now pending in the circuit court of Marion county for lands lying in Franklin county to be transferred to the circuit court of Franklin county.

The speaker signed said enrolled bills.

Ordered, that the clerk transmit it them to the house of representatives to receive the signature of their speaker.

The senate then took up a resolution submitted by Mr. Smartt on Saturday appointing justices of the peace for Warren county,

Which was again read and adopted.

Ordered that the clerk acquaint the house of representatives therewith and ask their concurrence therein.

A resolution to provide for adjudication of the land claims therein specified, received from the house of representative on Saturday was again read and concurred in.

Ordered, that the clerk acquaint the house of representatives therewith.

Mr. Bradford submitted the following resolution:

Resolved, that a joint select committee composed of four members on the part of the senate and eight members on that of the house of representatives, be appointed to confer and ascertain what arrangements can be made with the directors of the Nashville bank for securing the ultimate redemption of the notes held by the state on that institution and such as may come into the treasury hereafter under the provisions of law, and make report to this general assembly.

On motion of Mr. Bradford,

The rule of the senate requiring resolutions to lie one day upon the table, was suspended.

The said resolution was then read and adopted.

Mr. Bradford, Mr. Henderson, Mr. M'Means and Mr. Johnson, were appointed to be of said committee on the part of the senate.

Ordered, that the clerk acquaint the house of representatives therewith and ask their concurrence therein.

Mr. Brown submitted the following resolution:

Resolved by the general assembly of the state of Tennessee,

That grants nos. 204, 206, 207, 209, 210, 211, 212, 213, 214 and 215, be referred to the commissioner of land claims, and if it shall appear to him by satisfactory proof, that after a bona fide attempt to indentify said grants, that it cannot be done, then to issue certificates therefor, on the surrender of said grants.

Mr. Henderson the following:

Resolved by the general assembly of the state of Tennessee,

That the following persons be, and they are hereby appointed justices of the peace for the following counties to wit:

For Blount county, William Meteer, Josiah Patty, Samuel Thompson and James Wilson.

For Monroe county, Jonathen Davis, Thomas M'Cray, Benjamin Parker, Joseph M'Spadden, Peter Ragan, Thomas F. M. Calloway, George D. Edgar, Samuel Blackburn, Edward B. Watkins, John Robertson, George Henderson, John Henderson sen'r. Squire S. Glen, Joseph Marshall and Matthew M. Young.

Mr. M'Means the following:

Resolved by the general assembly of the state of Tennessee,

That Elisha Herron, be, and he is hereby appointed a justice of the peace for Humphreys county.

Mr. Hall the following:

Resolved by the general assembly of the state of Tennessee,

That the present session shall be adjourned on Saturday the 21 day of December next sine die, and all the business which cannot be finished against that day, shall be deposited in the office of the secretary of state, as unfinished business which may be taken up, and acted on at the next stated session of the legislature, and

Mr. Gass the following:

Resolved by the general assembly of the state of Tennessee,

That John Cox, (of Russellville) be, and he is hereby appointed a justice of the peace for Jefferson county.

According to a rule of the senate said resolutions lies one day upon the table.

A message from the house of representatives by Mr. Campbell their clerk.

Mr. Speaker:

The house of representatives have adopted a resolution to revive and continue in force a part of a resolution passed November 18th 1825 entitled a resolution requiring certain claims to be adjudicated.

Also, the following resolution, in both of which they ask your concurrence:

Resolved by the general assembly of the state of Tennessee,

That the following persons be, and they are hereby appointed justices of the peace for the following counties to wit:

For Anderson county,

John Loy, John Gibbs, John M. Lamore, Samuel Dun and George Haskins.

For Henry county,

Goodloe Warren, William Porter and Robert L. Brown.

For Jackson county, Henry M. Carr.

And then he withdrew.

According to a rule of the senate, said resolutions lies upon the table one day.

Mr. M'Means introduced

A bill to authorize the drawing of a lottery to build a bridge over Cypress creek in Humphreys county, and

Mr. Gass

A bill to prevent any person in this state from re-

moving a civil action from one county to another, without giving security for the cost.

Which bills were both read the first time and passed.

Received from the house of representatives,

A bill for the relief of John Montgomery of the county of Blount.

A bill to direct the payment of commissioners under the act of 1825.

A bill to repeal an act entitled an act to extend the town of Gallatin, in the county of Sumner passed Nov. 16th 1821.

A bill for the relief of Robert Officer and Thomas Francher.

A bill for the relief of Mason Oury.

A bill for the relief of Thomas M'Bath.

A bill for the relief of Micajah Armstrong and Samuel Turney.

A bill for the benefit of A. Crockett.

A bill requiring security to be given in suits by motion.

Which bills were severally read the first time and passed.

A bill to provide for the better regulation of the town of Dover, in the county of Stewart.

A bill for the relief of Agness Jennings of Lincoln County.

A bill to apply the navigation tax of the counties of Weakley and Obion, to cutting and bridging roads and for other purposes.

A bill to authorize the treasurer of east Tennessee to receive certain monies.

A bill to alter the names of the persons therein mentioned.

A bill for the relief of Banks M. Burrow of Carroll county,

A bill more effectually to prohibit the keeping of tipling houses.

A bill giving further time to make surveys and obtain grants on entries, north and east of the ori-

gressional line, made under the acts of 1825.

A bill for the relief of the sheriff of Carroll county and for other purposes.

A bill for the relief of Alice S. Wilson.

A bill for the relief of Robert Craig, and

A bill to authorize the county court of Overton to lay a tax for certain purposes,

Were severally read the second time and passed.

A bill to authorize a lottery for the benefit of Cumberland College, and

A bill for the relief of Elijah Embree and others,

Were both read the third time and passed.

A bill for the relief of Wm. P. Cobb and others owning fish traps and dams in Holston river in the county of Knox and for other purposes.

Was read the third and last time passed and

Ordered, to be engrossed.

Received from the house of representatives

A bill to encourage the collection and preservation of the antiquities of this state,

Which was read the first time and rejected.

A bill to authorize the surveyor of Stewart county to run and mark part of Walkers line,

Was read the second time and rejected.

A bill for the relief of regular ministers of the gospel,

Was read the second time.

And the question thereon was taken.

Shall the said bill pass?

And determined in the affirmative,

There being ayes 10, nays 7.

The ayes and noes being required.

Those who voted in the affirmative are,	Those who voted in the negative are,
Mr. Speaker Foster,	Mr. Amis
Cleveland,	Anderson,
Frey,	Brown,
Hall,	Gass,
M'Means,	Henderson,
Nelson,	Johnson, and

Preston, M'Clanahan—7
Simpson,
Smartt and
Walker—10.

and so the said bill passed.

On motion of Mr. Anderson,

A bill to establish a militia company on Cumberland east of Sparta, and

A bill to amend an act entitled an act to revise the militia law passed 1825.

Were both referred to the military committee.

Mr. Johnson withdrew for amendment,

A bill for the relief of clerks and solicitors, and

Mr. Walker

A bill to authorize the drawing of a lottery for the improvement of the navigation of the Forked deer river.

A bill to encourage the building of mills, in the western district,

Was read the second time, and

On motion of Mr. Walker, amended and passed.

Mr. Johnson returned without amendment

A bill for the relief of Polly B. Caperton of Franklin county,

Which bill was read the second time and passed.

A message from the house of representatives by Mr. Campbell their clerk:

Mr. Speaker,

"The house of representatives having signed enrolled bills entitled

An act authorizing the building of a new jail in Montgomery county of Lincoln.

An act for the relief of John Pravat of Humphreys county, and

An act directory to the entry taker of the Hiwassee district. I am directed to deliver them to the senate and receive the signature of their speaker.

I am also directed to deliver to the senate a printed copy of a communication of his excellency the governor, of date the 7th inst. the original of which

has been mislaid, also, a written communication of date to day.

And then he withdrew.

The speaker signed the enrolled bills received from the house of representatives.

Ordered that the clerk deposit them in the office of the secretary of state.

The communication of his excellency of date the 14th inst. accompanied with documents, was read at the clerks table as follows:

Fellow citizens of the senate, and of the house of representatives.

As you have now before you a bill for the establishment of a penitentiary, I beg leave to present for your consideration a brief statement of information received from the different penitentiaries in the United States, in answer to letters addressed to the governors of states where those institutions are located of which the following is a copy.

EXECUTIVE OFFICE,
Nashville July 17, 1826.

Sir:

At the last session of the legislature of this state, a resolution was passed, requiring the governor to procure certain information from different penitentiaries in the United States, not knowing the most suitable person to write to on the subject, I have taken the liberty of addressing your excellency, and to request, (should it in any respect be inconvenient for you to give your personal attention to the business) that you will be pleased to hand over, or transmit this communication to the officer having the superintendance of the penitentiary in your state, or to the person best qualified to give the information sought for.

What is the size of your penitentiary, what did it cost, how long has it been in use, how high and thick are its walls, and of what are they made? how many cells does it contain, and are they constructed for one or more persons to lodge in? how are your

criminals cloathed and fed, in what way are they employed, and what is considered the most profitable labour they can be engaged in? what punishment is inflicted for disorderly conduct or disobedience? does the institution produce a revenue, or is it a charge upon the state? what is your police, have you guards, if so how many? what would be the proper size for the safe keeping and employment of sixty or seventy criminals? have any culprits been confined for second offences? Is it the general opinion of the most experienced and thinking part of your state that penitentiaries afford the best means of obtaining the great ends of justice, to wit: the prevention of crimes and the reformation of criminals?

Our general assembly will be convened about the middle of October next, previous to which time, it is desirable, if convenint to procure such information touching the foregoing points, as you may be pleased to communicate.

With great consideration, I have the honor to be, very respectfully,

Your obedient servant,
WM. CARROLL.

His excellency,
the governor of the state of Kentucky.

The penitentiary of this state was established about twenty five years ago. Its exterior wall is built of stone, four feet thick and fifteen feet high, the wall is four hundred yards round and nearly in a square. It has undergone many changes and alterations since it was first built. As it now stands it cost about forty thousand dollars. It contains seventy cells, constructed for two persons to lodge in. The expense of clothing criminals is about twelve dollars per annum each, and diet eight cents a day each. They are employed in shoe making, blacksmithing, waggon making, manufacturing woolen goods chair making and stone cutting. In consequence of the demand for the articles in Kentucky, the manufac-

turing of wool is found to be the most profitable employment. Punishments are inflicted by causing the delinquishments to remeve the filth from the yard, and to perform other mortifying and menial offices; stripes are rarely inflicted. Four guards are employed, an assistant keeper and clerks. The number of convicts vary from seventy to ninety and about one fourth of the whole are confined for second offences, but by far the greatest part of them are convicts from other states. The institution was a charge upon the state up to the year 1825. At the session of 1824, the legislature with a view of making it support itself, passed a law by which it was leased to an individual for a term of years, subject to examination of the general assembly, and to the particular superintendance of the governor, and a board of, I believe commissions. It is now no charge to the state, and a hope is entertaind that it will produce a considerable revenue.

With respect to its usefulness as a means of reformation, the governor of Kentucky makes the following remarks.

"A reference to Mr. Scott's statement will show that as a means of reformation but little is to be hoped for from the system. But it is attended with one advantage, at once obvious and incontestible, and which is admitted on all hands, that is that the convicts for the time they are confined at least, are restrained from committing crimes and from infesting society with their presence and example, viewing the advantages and disadvantages of the sytem, I think the conclusion may be safely assumed, that although the people of this state are aware that it is attended with some inconveniences and imperfections, yet it meets their approbation generally, and that there is no disposition manifested to any considerable extent to change it for any other.

STATE OF OHIO.

The Penitentiary in this state was originally constructed on a small scale, and convicts were first ad-

mitted into it in 1815. Since that period it has undergone numerous changes; and various additions have been made at times when materials were at a very advanced price. And as it now stands, it cost the enormous sum of near one hundred and fifty thousand dollars. The outer wall is built of stone, four hundred feet long and one hundred and fifty feet wide, fourteen feet high, with banisters extending three feet above the stone work—a brick building two stories high, about one hundred feet long, and thirty broad, forms a part of the wall; and is principally occupied by the keeper—a house fifty feet by twenty, one story high, is used as a storehouse. The prison building is of brick, two stories high, one hundred and fifty feet long by thirty wide, through the centre of which runs a passage eight feet wide; the cells on each side are sixty-four in number, eight by six feet. There are various other buildings, such as work-shops, &c.—Below the surface of the ground are five dark cells for the punishment of those who violate the rules of the prison; and for the reception of criminals who are sentenced by the court to a short period of solitary confinement. The present number of convicts is one hundred and fifty-eight, and three are lodged in one cell, though it is believed to be improper to lodge more than one. The experience of this institution approves the classification of offenders, and solitary confinement by night; this prevents combinations, and the old offenders from corrupting the younger in crime. The cost of prosecution is now made a charge upon the penitentiary, which causes a deficit of from four to seven thousand dollars annually; and but for which it would meet its own expenses. The branches of business pursued are black-smithing, shoe-making, waggon-making, gun-smithing, cabinet-making, weaving, tailoring, coopering, turning and comb-making. Black-smithing and shoe-making, the least profitable, though a great portion of the criminals are employed in that way; the articles being those of necessity

command the readiest sale at home. The keeper is the only responsible person, who has under him and appointed by himself an assistant keeper, three assistants in the yard, three guards on the walls, a turnkey at the gate, clerk and physician. The number of convicts confined for second offences are about fifteen.

STATE OF VIRGINIA.

In this state the Penitentiary has been in operation for twenty six years; and cost the state one hundred and thirty-six thousand dollars. The front wall is two hundred and six feet, with a building three stories high, fifty six feet long by twenty six feet wide—a wing at each end running off at right angles ninety four feet; at the termination of the wings commences a semicircular building connecting them, and forming a half oval figure. The outer walls are from five to two and a half feet thick and are of brick. It contains one hundred and forty-eight cells, including thirty-one for close solitary confinement under sentence of the court, two large rooms for the females, twelve dungeons to punish offences against the police, and twenty rooms for different purposes. One hundred and forty four cells constructed each for one prisoner. The criminals are clothed from cloth made by themselves, and fed by contract at six and a half cents a ration. The convicts are employed at shoe and harness making, blacksmithing, nailing, wheelwrighting, coopering, with other employments, and making burr mill stones, the latter of which is by far the most profitable, though in consequence of the small demand, it is carried to a very limited extent. For bad conduct they are punished with stripes and confinement in the dungeon on bread and water. The institution, as at present organized, is a charge upon the state of about eight thousand dollars a year including the expense of transporting criminals from different parts of the state, though it is believed that there are practical alterations which can be made, that will make it not only pay all char-

ges, but produce a revenue to the state. The Penitentiary is under the direction of a superintendant and seven assistants, the whole management of the interior is under the control of a board consisting of five directors. A small guard is employed. Since the institution went into operation, about fourteen hundred convicts have been admitted, of which number seventy five are for second and third offences, but for the last two years, the latter description are much fewer in the whole number than formerly; this, no doubt, is owing to the increased rigor of the police and of the laws. The superintendant believes that the great mass of the most enlightened part of society is in favor of a well regulated Penitentiary system, as the best means of attaining the great ends of justice and the prevention of crimes; that executive clemency has a tendency to increase crime; that humane punishment, to have the effect of keeping vice in check, should by its mildness be certain in its infliction; that no feelings of sympathy beyond the justice and humanity of the law should prevail to exempt the offender from the correction his country has prescribed for his wickedness. Governor Tyler writes me as follows on the subject: "That the experienced part of the state believe that Penitentiaries afford the best means of attaining the great ends of justice is sufficiently evident from the single fact that two years since the Penitentiary at this place was consumed by fire, and that although a fair opportunity was thus afforded of abolishing the system, yet the legislature directed its rebuilding with very considerable enlargements. As to its practical results, it may be safely asserted that it has been attended with no augmentation of crime, reference being had to the list of judicial convictions before its erection, taken in connection with the numbers of our inhabitants. This of itself argues decisively in its favor, since under any severe code of laws where offences less than murder are punished with death the principle of mercy often interposes to rescue the

guilty from punishment, whereas under this system that principle cannot successfully be invoked, and crime uniformly meets its reward.

STATE OF NEW-JERSEY.

In 1797, the penitentiary of this state was established, and in September 1798, the first prisoner was received, since which time there has been confined one thousand and seventy one criminals.—There are now seventy convicts; four of whom are confined for second offences and two for a third.—

The penitentiary consists of a house fifty feet in front, cellar, kitchen, bakery, dining hall, an office, committee room, a large hall, two rooms for the keeper, a hall and four rooms above for the same use—two wings projecting north and south from this building, three stories high, containing twelve cells to punish the refractory and disobedient. Another house at the south wing, forty by fifty feet, four stories high, containing forty cells, six by eight feet, adapted for one person, and are occupied by those who are sentenced to solitary imprisonment. The outer walls are eighteen feet high, fourteen of which are stone, and four at the top of bricks—three feet thick at the base and two at the top—the whole inclosing two acres of ground. The first cost, fifty thousand dollars, but considerable sums have since been appropriated, which have greatly augmented the charge. The criminals are employed in shoemaking, weaving, sawing marble, and pounding plaster of paris. The costs of convictions and transporting criminals are chargeable on the institution, so that in that way it is a heavy charge upon the state. It is believed, however that it would meet all expenses if a profitable business could be followed where the raw material would cost but little, the labor considerable and the market for the article when made on the spot. It is thought to be the most humane manner of punishing crimes, and the best calculated to reform the culprit. The institution is under the control of a keeper, with three assistants constantly

in the yard superintending the works. It has also a clerk to keep the accounts and a sentinel on the wall.

STATE OF NEW-HAMPSHIRE.

The penitentiary in this State has been in use since the year 1812. The institution consists of a large three story building, seventy feet by thirty six feet connected with which, is a house forty nine feet by twenty two, the walls three feet thick, and entirely of granite. It contains thirty six cells, eight by nine feet, and six in the upper story, ten by seventeen feet. Two convicts usually lodge in one cell, four may, but it is agreed that good policy requires that only one should occupy a cell. The criminals are employed in making wagons, blacksmithing, coopering, and hewing stone. The latter has been their principal employment for the last eight years—at which they not only pay all expenses, but produce a revenue to the state. The work is done very nice, & transported to Boston where it finds a ready market. From May 1812 to May 1822 twenty seven thousand four hundred and sixty three dollars have been drawn from the treasury for the support of the institution—since that period the clear gain has been 20,000 dollars or near that sum. The usual number of convicts is from 54 to 74, the whole number since 1812 is 257, 11 of whom are for second offences.—Gov. Morrill writes:

"My own opinion is decidedly in favor of penitentiaries, if rightly constructed and properly managed. They should be so formed that one only should occupy a cell, that all nocturnal intercourse and conversation should be prevented. Auburn prison in New York is the best constructed of any in the United States for these purposes." In this prison the recommitments are less than one to twenty, whereas in those on a bad plan and badly managed, such as the New-York State Prison, the Phila-

delphia and Massachusetts penitentiaries, the recommitments are about one to four.

The New-Hampshire penitentiary is surrounded by a wall 259 by 192 feet, 14 feet high, surmounted by a range of pickets fourteen feet. The officers of the institution are a warden and deputy warden. There are also a physician, chaplain, two overseers of the work shops and four guards. The governor and council are the directors of the institution.

STATE OF MARYLAND.

The buildings of the penitentiary in this state are surrounded by a wall of eighteen feet high, and surmounted by a wooden parapet of 4 feet, and encloses an area of 4 acres. The original cost of the lot and buildings was 88417 dollars. Subsequent additions and improvements have increased the cost to 145,000 dollars. In January 1812, the first prisoner was received under the penitentiary laws. The prison department is 159 feet in length, 39 in breadth, and 45 high, containing 4 stories. The number of sleeping rooms is 36; they are constructed to lodge 10 persons—22 cells for the punishment of offences committed in the house, and to carry into effect the sentences of the courts. The prisoners are employed in weaving, hatting, comb making, dying, and cutting stone. Weaving is the most lucrative business, in consequence of the excellent texture of the goods, their superiority in every respect, and the readiness with which they can be sold. The other employments are also profitable. Punishment for disorderly conduct is whipping and solitary confinement, with half allowance of bread and water. The institution has always drawn from the state treasury the salaries of all the officers except that of the principal keeper & matron of the female department, which are paid out of the profits of the house. The collective salaries of the other officers amount at present to 7200 dollars per annum. The average profits of the house the last three years, were about 5000 dollars, so that the institution could not have paid the salaries of its

officers without drawing upon its active capital.—However its present flourishing condition and flattering prospects justify the belief, that it will in time not only defray its own expenses, but produce a revenue to the state. The profits of the last year alone exceeded 12,000 dollars. There are 13 deputy keepers, of these 6 act as guards during the day—3 on the walls with loaded muskets, and 3 acting as turnkeys, 6 of the other deputies are heads of the different manufacturing departments, and one is employed as a messenger. Many cases of reimprisonment have occurred, but the fault is attributed to the incorrigible depravity of the criminals themselves, rather than to any defect in the system of punishment.

In so extensive a commingling of crimes of every grade, immoral associations must necessarily take place, and the combination in spite of every antidote must tend rather to foster than to extinguish the propensity to crime. The separate confinement of criminals at night is believed to be the only means of effecting a radical change or reformation. Three hundred and forty prisoners were in the Penitentiary on the first day of December last.

I have thus presented to your view a condensed statement of the situation of six Penitentiaries. I intended to have added an account of two or three more of the New England Penitentiaries, but the documents received from those institutions are at this moment mislaid. It may however be assumed as a certain fact, that their condition is as favorable as the best of those to which your attention has been called.

It seems that well regulated penitentiaries are capable of defraying all expenses to which they are incident—but if we were certain that an institution of this kind would be a charge upon our treasury for some years, it would form no reasonable objection to its establishment. For it ought to be borne in mind, that the state is now subject to a charge o

from ten to fifteen thousand dollars annually for the confinement of criminals after conviction—a charge which would cease if we had a penitentiary.

WM. CARROLL.

Executive Office, Nov. 14, 1826.

The communication of his excellency of date to day was then read at the clerks table as follows to wit:

Fellow citizens of the senate and of the house of representatives.

In carrying into effect the resolution of the general assembly at their session of 1824 directing the governor to make suitable arrangements for the reception of General Lafayette, I was obliged, in consequence of low water in Cumberland river, to employ a small steam boat to receive the general at Smithland to bring him to this place, and carry him hence to Louisville Kentucky. In settling with the captain of the boat there was due him eleven hundred and fifty dollars. I paid him one thousand dollars, and drew a draft in his favour on the Lafayette committee of Kentucky for the balance, not doubting but that it would be promptly paid, particularly as it had been customary for each state to pay all expences of the general while travelling within its territory. The draft however, was not paid, as will be seen by papers herewith laid before you. On being notified of its nonpayment, I advised the captain to present his claim to the legislature of Kentucky, which he did, but was not successful as will be seen by referrence to his letter and the statement of Wm. P. Thompson. The state of Kentucky having failed to pay the draft, and there being justly due captain Hall one hundred and fifty dollars, under the contract made with him by the authority of Tennessee. The propriety of authorizing the payment of that sum to him, is respectfully submitted to your consideration.

There are also, two or three small claims for Lafayette expences, which do not amount to more than

unty dollars, that were not presented before the last session of the general assembly, the payment of which is recommended to your attention.

WM. CARROLL.

Executive Office,
Nashville, Nov. 20, 1826.

Ordered, that both of said communications lie upon the table.

On motion of Mr. Brown,

The senate resolved itself into a committee of the whole on a bill to amend the penal code of this state, and to establish a jail and penitentiary house thereon, and after sometime spent in consideration thereof the committee rose and the speaker resumed the chair, when Mr. Hall reported that the committee had had said bill under consideration, and made some progress therein and directed him to ask leave to sit again on to morrow.

Ordered, that the committee of the whole have leave to sit again on to morrow.

And then the senate adjourned.

TUESDAY, NOVEMBER 21, 1826.

Mr. Johnson from the committee on enrolled bills, reported,

That they had examined and found to be truly enrolled,

An act to further provide for the occupants south and west of the congressional reservation line, and

An act for the relief of Wm. P. Cobb and others, owning fish traps and dams on Holston river in the counties of Knox and Grainger.

The speaker signed said enrolled bills.

Ordered, that the clerk transmit them to the house of representatives to receive the signature of their speaker.

The senate took up and proceeded to the consideration of a resolution submitted by Mr. Brown on yesterday, referring sundry grants for adjudication

*W*hich was again read.
And the question thereon was taken,
Will the senate adopt said resolution,
*A*nd determined in the negative.
And so said resolution was not adopted.

The senate then took up and proceeded to the consideration of a resolution submitted by Mr. Hall, on yesterday appointing a day on which to adjourn this session of the legislature.

Which was again read.

Mr. Brown moved to amend said resolution by striking out the whole thereof after the words "sine die," which was agreed to,

On motion of Mr. Henderson,

Ordered, that said resolution, as amended be laid upon the table for consideration.

The senate then took up and proceeded to the consideration of a resolution submitted by Mr. Henderson on yesterday appointing justices of the peace for the counties of Blount and Monroe.

Also, a resolution of Mr. Gass's appointing a justice of the peace for Jefferson county, and

Also, a resolution of Mr. M'*M*eans's appointing a justice of the peace for Humphreys county,

Which resolutions on being again severally read were adopted.

Ordered that the clerk acquaint the house of representatives therewith, and ask their concurrence therein.

The senate then took up, and proceeded to the consideration of a resolution received from the house of representatives on yesterday appointing justices of the peace for the counties of Anderson, Jackson and Henry,

*W*hich was again read and concurred in, except as to the appointment of Wm. Porter which was non-concurred in, he having been appointed in a previous resolution.

The senate then took up and proceeded to the consideration of a resolution to revive and continue

n force a part of a resolution passed Nov. 18, 1825, entitled a resolution requiring certain claims to be adjudicated which was received from the house of representatives on yesterday.

The said resolution was again read and concurred in.

Ordered, that the clerk acquaint the house of representatives therewith.

The senate again resolved itself into a committee of the whole, on the bill to amend the penal laws of this state and to establish a jail and penitentiary house therein, and after some time spent in the consideration thereof, the committee rose and the speaker resumed the chair, when Mr. Hall reported, that the committee, had again had said bill under consideration, and directed him to report that said bill be laid upon the table till the tenth day of the next session of the general assembly.

And the question was taken thereon:
Will the senate concur in said report?
It was determined in the affirmative:
There being ayes 11, noes 8.
The ayes and noes being required.

Those who voted in the affirmative, are	Those who voted in the negative, are
Mr. Amis,	Mr. Speaker Foster,
Bradford,	Anderson,
Cleveland,	Brown,
Frey,	Hughes,
Gass,	Johnson,
Hall,	Simpson
Henderson,	Smartt &
M'Clanahan,	Walker—8
M'Means,	
Nelson, and	
Preston—11	

And so said report was concurred in.

Mr. Henderson then moved that said bill be laid upon the table till the tenth day of the next session of the general assembly.

And the question thereon was taken:
And determined in the affirmative,
There being ayes 11, noes 7.
The ayes and noes being required.

Those who voted in the affirmative, are	Those who voted in the negative, are
Mr. Amis,	Mr. Speaker Foster
Bradford,	Anderson,
Cleveland,	Hughes,
Frey,	Johnson,
Gass	Simpson,
Hall,	Smartt &
Henderson	Walker—7.
McClanahan,	
McMeans,	
Nelson &	
Preston—11.	

And so the said bill was ordered to lie upon the table till the tenth day of the next general assembly.

Mr. Hall submittted the following resolution.

Resolved by the general assembly of the state of Tennessee,

That grant no. 344, grant no. 1769, and grant no. 158 founded on an Evans warrant, be referred to the commissioner of land claims, and if it shall be found by said commissioner that the land contained in the bounds of said grants are taken by older and better titles, he shall issue certificates for the amount of said grants to the persons owning the same, which certificates so issued, shall be located south and west of the congressional reservation line.

Mr. Johnson the following:

Resolved by the general assembly of the state of Tennessee,

That Rezan Byrne, *W*illiamson Williams, James Mickie, Geo. F. McWhirter, James B. Taylor, Wilson T. Waters & William Willis be, & they are hereby appointed justices of the peace for *W*ilson county.

According to a rule in the senate, said resolutions lie upon the table one day.

Mr. Frey introduced

A bill for the relief of Rachael Houston.

Which was read the first time and passed.

A bill for the benefit of Philip I. Smith,

Was read the second time and passed.

A bill to authorize James Rogers to open a turnpike road, and

A bill to authorize the judges of the supreme court to certify bills of cost in certain cases.

Were both read the third and last time, passed, and

Ordered to be engrossed,

A message from the house of representatives by Mr. Campbell their clerk.

Mr. Speaker:

The house of representatives concur in your resolution referring grant no. 285 for adjudication.—Also,

In your resolution appointing justices of the peace for Warren county.

And also in your resolution to appoint a joint select committee to confer with the directors of the Nashville Bank, &c. &c.

And have appointed Messrs. Massengill, Crisp, Fletcher, Desha, Huling, Turney, Tipton, Parsons and Lytle to be of said committee on their part.

And then he withdrew.

Mr. Walker returned

"A bill to authorize the drawing of a lottery for the improvement of the navigation of Forked Deer river, with a proposed amendment.

Which was received.

The said bill as amended, was then read the second time and passed.

The senate then took up and proceeded to the consideration of

A bill to repeal part of the second section of an act, entitled

"An act supplemental to an act to amend an act to condense and bring into one view the revenue laws of this state and amend the same," passed November 22, 1817,

And after some time spent in the consideration thereof,

On motion of Mr. Bradford,

Ordered, that said bill lie upon the table for further consideration.

Mr. Walker introduced

A bill to incorporate a medical society in Tennessee.

Mr. Amis

A bill to repeal part of a law passed 1819, and for other purposes, and

Mr. McMeans

A bill to repeal the law now in force and use in this state respecting a change of venue.

Ordered that said bills be laid upon the table.

And then the senate adjourned.

WEDNESDAY, NOVEMBER 22, 1826.

Mr. Cleveland presented a petition of James Walker of Claiborne county, praying a loan of two thousand dolls. from the state to enable him to successfully carry on several important domestic manufactories.

Ordered, that said petition be referred to the committee of proposition and grievances.

Mr. Cleveland, from the committee of propositions and grievances, reported

A bill to amend an act entitled "An act to incorporate the inhabitants of the town of Knoxville in the county of Knox.

Which was read the first time and passed.

Mr. Johnson from the committee on enrolled bills,

Reported, that they have examined and found to be truly enrolled,

An act to authorize James Rogers to open a Turnpike road, and

An act to authorize the judges of the Supreme Court to certify bills of cost in certain cases.

The speaker signed the said enrolled bills.

Ordered that the clerk transmit them to the house of representatives to receive the signature of their speaker.

The senate took up and proceeded to the consideration of a resolution submitted by Mr. Johnson on yesterday appointing justices of the peace for Wilson county.

Which was again read and adopted.

The senate then took up and proceeded to the consideration of a resolution submitted by Mr. Hall on yesterday, referring sundry grants for adjudication.

Mr. Hall moved to amend said resolution by adding thereto the following words: "Also, grant No. 20677 for 50 acres, to Isaac Stalcup, be referred to said commissioner, and if it shall appear upon proof that the land called for in said grant lies south of Walker's line and 1¼ miles north of Steel's line, he shall cancel and make void said grant, and issue a certificate therefor as in other cases."

Which amendment was agreed to.

The said resolution, as amended, was then read and adopted.

Ordered that the clerk acquaint the house of representatives with the adoption of said resolutions, and ask their concurrence therein.

The senate again took up and proceeded to the consideration of

A bill to repeal part of the second section of an act, entitled an act, supplemental to an act, to amend an act, to condense and bring into one view the revenue laws of this state, and to amend the same, passed Nov. 22d, 1817.

Mr. Bradford moved that said bill be again laid upon the table for further consideration,

And the question thereon was taken,
And determined in the negative.
There being Ayes 3, Noes 16.
The ayes and noes being required,

Those who voted in the affirmative are,
Mr. Anderson,
Bradford, &
M'Clanahan—3.

Those who voted in the negative are,
Mr. Speaker Foster,
Amis,
Brown,
Cleveland,
Frey,
Gass,
Hall,
Henderson,
Hughes,
Johnson,
M'Means,
Nelson,
Preston,
Simpson,
Smartt, and
Walker—16.

And so the said bill was not laid on the table.
The said bill was then read the second time,
And the question thereon was taken,
Shall the said bill pass?
And determined in the affirmative.
There being ayes 11, noes 8.
The ayes and noes being required.

Those who voted in the affirmative, are
Mr. Speaker Foster,
Brown,
Frey,
Gass,
Hall,
Hughes,
Johnson,
Nelson,
Simpson,

Those who voted in the negative, are
Mr. Anderson,
Amis,
Bradford,
Cleveland,
Henderson
M'Clanahan,
McMeans, and
Preston—8.

Smart &
Walker—11.

And so the said bill passed.

A message from the house of representatives by Mr. Campbell their clerk.

Mr. Speaker:

The house of representatives have received, read and accepted the resignation of

John P. Hogan, a justice of the peace for Sumner county,

Julian Frazier, a justice of the peace for Knox county, and

D. Alexander, Notary Public for Hawkins county,

And directed the same to be sent to the senate for their acceptance.

They have adopted a preamble and resolution, directing our senators and requesting our representatives in Congress, to use their exertions to effect an extension of the judicial system of the United States to all the states in the union.

Also, the following resolutions:

Resolved by the general assembly of the state of Tennessee,

That the surveyor of the 13th district receive an entry in the name of Nazareth Bird for twenty-five acres on a part of a John Armstrong warrant No. 2571.

Resolved by the general assembly of the state of Tennessee,

That the following persons be, and they are hereby appointed justices of the peace in and for their respective counties, to wit:

For Rutherford county,

Thomas Powell, Isaac I. Miller, Silas Reed, sen'r. and Samuel Jones.

For Green county,

John Allison, Peter Coble, Andrew M'Ferrin, John Harden, Andrew Roberts, Robert Malowy, Christian Dyke, Henry Goby, Robert Evans and Tho's. Murphey.

For Madison county, John M. Johnson.

For Smith county, John Tubb, *Alfred* Brevard and Ethelridge *Warren*.

For Knox county, *Wm*. Lyon, George Graves and Edward R. Davis.

For Sumner county, Robert Patton and Wm. M. Carter.

They have also adopted a resolution for the relief of Geo. M. Purtle.

In all of which resolutions they ask your concurrence.

They have taken up on its third and last reading in both houses,

"A bill for the relief of Elijah Embree and others," and propose amending the same by reinstating the provisions contained therein, as said bill last left the house of representatives, and further to amend the said bill by adding to it the section marked A, and herewith sent to the senate.

In which they ask your concurrence.

They concur in your resolution appointing justices of the peace for the counties of Blount, Monroe and Humphreys, and non-concur in the appointment of John Cox for Jefferson county.

They concur in your resolution appointing John M'Millian a justice of the peace for Knox county, and non concur in the appointment of William Craighead.

And then he withdrew.

According to a rule of the senate, said resolutions lie one day on the table.

The senate proceeded to the consideration of the amendments proposed by the house of representatives to the 'bill for the relief of Elijah Embree and others.'

Which amendments were read at the clerk's table and concurred in.

Ordered that the clerk acquaint the house of representatives therewith.

Mr. Gass submitted the following resolution:

Resolved by the general assembly of the state of Tennessee,

That the committee on Education be instructed to report a bill to require the Treasurers of this state to receive the Nashville Bank notes from the citizens South of French Broad and Holston in payment for their lands; and also, the people in the Hiwassee District for their lands; and also, all the county agents to receive said paper in discharge of what is due said agencies; and also, the sheriffs of the different counties for taxes; and

Mr. Johnson the following:

Resolved by the general assembly of the state of Tennessee,

That entry No. 15972 made in the first surveyor's district, be referred to the commissioner for adjudication, and if it shall appear that said entry was made upon a good and valid warrant, and that the whole or any part thereof is interfered with by an older or better title, he shall issue a certificate therefor as in other cases.

According to a rule of the senate, said resolutions lie one day upon the table.

Mr. Hughes introduced

A bill for the relief of Richard Belcher.

Mr. Preston,

A bill to authorize Matthew English to open a turnpike road.

Mr. Anderson,

A bill to appoint additional trustees for East Tennessee College.

Mr. McMeans,

A bill for the relief of Wm. Gann of Perry county, and

A bill to repeal the laws now in force and use in this state, respecting the change of venue.

Which bills were severally read the first time and passed.

A bill to repeal part of a law passed 1817, and for other purposes.

Which was laid upon the table on yesterday, was taken up, read the first time and passed.

Received from the house of representatives,

A bill to authorize William Forbeau to continue, extend or raise his mill dam.

A bill to amend an act, entitled "an act to incorporate the inhabitants of the town of Nashville.

A bill for the relief of Robert L. Cobbs and others.

A bill for the relief of James P. Taylor.

A bill for the relief of Francis Moore.

A bill to alter the time of holding the Rutherford circuit court.

A bill to appoint a commissioner for the town of Newport.

A bill prescribing the duty of trustees and clerks.

A bill to authorize a survey to be made, on application of sundry citizens of Greene, Washington, Sullivan and Hawkins for a new county.

A bill for the relief of Robert Gullet.

A bill to compel plaintiffs to give defendants their proper credits, and

A bill for the relief of John Pritchett and for other purposes.

Which bills were severally read the first time and passed.

A bill for the relief of C. F. M. Goodrian.

A bill for the relief of James Littleton, and

A bill for the relief of Joel Dyer executor &c.

Were severally read the second time and passed.

A bill for the benefit of Jesse Gallaway of Roane county, and

A bill to regulate elections for field officers in the county of Dixon.

Were, both read the third and last time passed and

Ordered to be engrossed.

Mr. Johnson returned

A bill for the relief of clerks and soliciters.

With an amendment, which was received.

The said bill as amended was then read the second time and passed; the caption having been changed to read

A bill to amend an act, entitled, an act requiring the clerks and trustees and other officers to perform certain duties.

Received from the house of representatives,

A bill to ascertain at what age a man becomes a bachelor, and to increase the revenue of this state.

Which bill was read the first time.

Mr. Walker moved to lay said bill upon the table the same number of years that a man must live to be denominated a bachelor under the provisions of said bill, to wit: thirty years.

And the question thereon was taken,

And determined in the affirmative unanimously.

And so said bill was ordered to lie upon the table for thirty years.

Received from the house of representatives,

A bill to divorce Elizabeth Reynolds from her husband Heran Reynolds, and

A bill to divorce Rebecca Vandeventer from John Vandeventer.

Which bills were both read the first time and rejected.

A bill for the relief of Oliver Simpson,

Was read the second time and rejected.

Ordered that Mr. Hughes have leave to withdraw from the clerk's table the petitions and documents of Edward Suttle.

On motion of Mr. Brown,

The senate resolved themselves into a committee of the whole on the bill to amend the judiciary system of this state, and after some time spent in consideration thereof, the committee rose and the speaker resumed the chair, when

Mr. Hall reported,

That the committee had had said bill under consideration, and made some progress therein and directed him to ask leave to sit again.

Ordered that the committee of the whole have leave to sit again.

Mr. M'Means introduced.

A bill to regulate the sittings of the courts in the Western District, and

A bill to compel the banks of this state to suspend specie payments and to relieve the citizens of this state.

Mr. Nelson

A bill to prevent nuisances in the water courses in this state.

Mr. Walker

A bill for the relief of Joseph Parker, and

A bill to incorporate the town of Memphis in the county of Shelby.

Mr. Johnson

A bill for the relief of the heirs of Alexander Kirkpatrick, and

A bill for the relief of Nancy W. Carver of Wilson county.

Mr. Smartt

A bill to authorize the Treasurer to loan to Henry Beidleman the sum of five thousand dollars to encourage the manufactory of broad cloth and other woollens.

Mr. *Brown*

A bill appointing commissioners to settle the debts due to and from the Fayetteville Tennessee Bank, and

Mr. Henderson

A bill for the benefit of Samuel M'Connell.

Ordered that said bills lie upon the table.

And then the senate adjourned.

THURSDAY, NOVEMBER 23, 1826.

The speaker laid before the senate a memorial of Judith R. Long of Williamson county, praying the passage of a law extending to her all the privileges of a Feme. Sole.

Ordered that said memorial be referred to the committee of propositions and grievances.

Mr. Johnson from the committee on enrolled bills,

Reported, that they had examined and found truly enrolled,

An act to regulate elections for Field Officers in the county of Dickson and other counties, and

An act for the benefit of Jesse Gallaway of Rowan county.

The speaker signed said enrolled bills.

Ordered that the clerk transmit them to the house of representatives to receive the signature of their speaker.

Ordered that a resolution submitted by Mr. Cass on yesterday, directing the duty of the Treasurers and other officers in certain cases, be laid upon the table for consideration.

The senate took up and proceeded to the consideration of a resolution submitted by Mr. Johnson on yesterday, appointing justices of the peace for Wilson county.

Which was again read and adopted.

Ordered that the clerk acquaint the house of representatives therewith and ask their concurrence therein.

The senate then took up and proceeded to the consideration of the following resolutions received from the house of representatives on yesterday:

A resolution for the relief of Nazareth Bird.

A resolution for the relief of Geo. M. Purtle.

A preamble and resolution directing our senators and requesting our representatives in Congress to use their exertions to effect an extension of the judicial system of the United States, to all the states in the union.

A resolution appointing justices of the peace for the counties of Rutherford, Greene, Madison, Smith, Sumner and Knox.

On motion of Mr. Anderson,

Ordered that so much of the above resolution as

appoints justices of the peace be laid upon the table indefinitely.

The balance of said resolutions were then severally read and concurred in.

Ordered that the clerk acquaint the house of representatives therewith.

Mr. Gass submitted the following resolution:

Resolved by the general assembly of the state of Tennessee,

That Simon Pope, John W. Wilson and Saybourne Jewel be, and they are hereby appointed justices of the peace for the county of Greene.

Mr. Anderson the following:

Resolved by the general assembly of the state of Tennessee,

That the public printers of this state be required to insert in their newspapers once, all the public acts that may be past this session, which is to take effect before the laws can be published and distributed in pamphlet form, agreeably to the terms proposed by them to your committee, and

Mr. Walker the following:

Resolved by the general assembly of the state of Tennessee,

That it shall be lawful for John Jenkins or agent to lay before the commissioner of land claims a grant No. 21517 for 640 acres, and if it shall appear that any part of the same has been taken by a better title in the name of Shepherd, it shall be lawful for the commissioner to issue to said Jenkins a certificate for the amount interfered with, as in other cases, provided it does not exceed one hundred and fifty acres.

According to a rule of the senate, said resolutions lie one day upon the table.

A message from the house of representatives by Mr. Campbell their clerk.

Mr. Speaker;

The house of representatives concur in your resolution referring grants 844, 1769, 158 and 20677.—

Also in your resolution referring entry No. 15972.—Also in your resolution appointing justices of the peace for Wilson county.

They have adopted a resolution to provide for the issuance and adjudication of the grants and certificates therein named,

In which they ask your concurrence.

I am directed to deliver to the senate a communication from his excellency the Governor, together with the documents therein referred to.

And then he withdrew.

According to a rule of the senate, the resolution received from the house of representatives lies one day upon the table.

The communication of his excellency the governor was read at the clerks table as follows:

Fellow citizens of the senate and of the house of representatives.

I herewith lay before you, the joint report of the commissioners of Alabama, and those of Tennessee, in relation to removing the obstructions to navigation, occasioned by the muscleshoals in Tennessee river.

The report is so voluminous, that I will not, at this late period of the session trouble you with any remarks upon it.

WM. CARROLL.

Executive Office,
Nashville, Nov. 22, 1826.

Ordered, that said communication and documents be laid upon the table.

Received from the house of representatives

A bill for the relief of those citizens in the Hiwassee district who are sued by indian reservees for their lands.

A bill for the relief of Wm. K. Davis.

A bill to authorize Moses Fisk to open a turnpike road.

A bill for the relief of Elizabeth Hammond.

A bill to incorporate Mount Comberland Academy in the county of Fentress.

A bill providing further time to make surveys and return platts and certificates.

A bill regulating the duties of notaries public with respect to giving notice.

A bill for the relief of the devisees of Walter Sims dec'd.

A bill to authorize the granting of letters of administration in certain cases, and the proving of probates of instruments of writing in the recess of court.

A bill to regulate the duties of jailors and ameliorate the condition of persons.

A bill supplemental to an act entitled an act to authorize Charles Gamble, Christian E. Shelton and John Witt to open and establish a turnpike road.

A bill to amend the penal laws of this state.

A bill for the benefit of Sena Grubbs.

A bill for the relief of Charles Miles.

A bill to amend the laws relative to working on roads.

A bill to appropriate a sum of money to open and make a road in Hawkins county across the stone mountain and clinch mountain.

A bill to legalize the preceedings of Wm. Tyrrell, who was appointed a justice of the peace for Obion county.

A bill for the relief of the persons therein named.

A bill to authorize Samuel Allen to erect a mill on the river Nolachucky.

A bill for the relief of Richard C. Harris.

A bill to legitimate Eliza Guy.

A bill to prescribe the duties of commissioners, hereafter to be appointed by the county courts, south and west of the congressional reservation line, in receiving and reporting a list of taxable property therein named.

A bill for the benefit of jailors in the state of Tennessee.

A bill for the relief of Thomas Ely, and
A bill for the relief of Samuel M'Amey,
Which bills were severally read the first time and passed.

A bill to incorporate the town of Sommerville in the county of Fayette.

A bill to authorize Jesse Lincoln to open a turnpike road.

A bill to make it lawful for house holders to view and mark roads.

A bill for the benefit of the sheriff of Claiborne county.

A bill to alter the names and make legitimate the persons therein mentioned.

A bill to legalize the official acts of the justices of the peace therein named.

A bill for the relief of Jane Reynolds of Shelby county.

A bill to make good all grants issued by the state of North Carolina on entries and warrants west of Brown's line.

A bill for the relief of Thomas G. Watkins.

A bill to authorize the court of pleas and quarter sessions of Anderson county to build a house for the accommodation of the poor and for other purposes, &

A bill for the benefit of Jordan Harris and others,
Were severally read the second time and passed.

A bill to provide for the better regulation of the town of Dover, in the county of Stewart, and

A bill to continue in force the provisions of an act passed at the last session of the general assembly,
Were both read the third time and passed.

A bill for the relief of Joel H. Dyer executor &c.

A bill to authorize the drawing of a lottery for the benefit of the Dickson academy in the county of Bedford.

A bill for the relief of David Nowlen,

A bill for the relief of Thomas Powers and others.

A bill for the relief of A. H. Douglass.

A bill to repeal an act entitled an act to revive an act for the benefit of certain reservees passed August 22d 1822.

A bill to authorize the treasurer of east Tennessee to receive certain monies,

Were severally read the third and last time passed and

Ordered, to be engrossed.

Received from the house of representatives,

A bill concerning bastardy.

A bill to divorce Elizabeth White from her husband Wm. White.

A bill to divorce Elizabeth Wilson from her husband Joseph P. Wilson, and

A bill to repeal so much of an act passed 27th Nov. 1823, entitled an act to regulate proceedings in civil cases so far as respects the jurisdiction of justices of the peace in cases of damages,

Which bills were severally read the first time and rejected.

A bill for the relief of Laban B. Williams of Sullivan county,

Was read the second time and rejected.

The senate took up on its third and last reading in both houses,

A bill to compel entry takers to pay over money and for other purposes.

This bill provided, that the bank agent in each county, should examine the entry takers office and see if he had faithfully accounted for all the money in his hands.

Mr. Nelson offered an amendment in lieu of the whole bill which authorized the county court to appoint a commissioner for that purpose, instead of the agent, which amendment was received by the senate.

Ordered, that the clerk acquaint the house of representatives therewith and ask their concurrence therein.

And then the senate adjourned.

FRIDAY, NOVEMBER 24, 1826.

Mr. Frey from the committee on land claims reported the following resolution:

Resolved by the general assembly of the state of Tennessee,

That grant no 59 and entry no 1343 to Wm. Hill, be referred to the commissioner for adjudication, and if it shall appear that said grant and entry are interfered with by older and better title, he shall issue certificates as in other cases.

Resolved, that military warrant no 1222 issued to Wm. Olphin, and no 1223 issued to the heirs of Malike Ventui, be referred to the commissioner for adjudication.

Ordered, that said resolution lie upon the table one day.

Mr. Frey from the same committee made an unfavorable report on a certificate of survey shewing an interference between entry no for 140 acres in the name of Jarrat Huddleston with grant no 360.

The senate concurred in said report.

Mr. Johnson from the committee on enrolled bills,

Reported,

That they had examined and found to be truly enrolled.

An act for the benefit of Thomas Powers and others.

The speaker signed said enrolled bill.

Ordered, that the clerk transmit it to the house of representatives to receive the signature of their speaker.

Mr. Cleveland from the committee of propositions and grievances,

Reported,

A bill for the benefit of James Walker jun'r. of Claiborne county.

Ordered, that said bill lie upon the table.

The senate took up and proceeded to the consideration of a resolution, submitted by Mr. Gass on yesterday appointing justices of the peace for Greene county.

Also, Mr. Walker's resolution of yesterday referring certain land claims for adjudication, and

Also, Mr. Anderson's resolution of yesterday proposing to print the public acts in the newspapers,

Which resolutions were severally read and adopted.

Ordered, that the clerk acquaint the house of representatives therewith and ask their concurrence therein.

The senate then took up and proceeded to the consideration of a resolution received from the house of representatives on yesterday to provide for the issuance and adjudication of the grants and certificates therein named.

Which was again read and concurred in.

Ordered, that the clerk acquaint the house of representatives therewith.

On motion of Mr. Foster,

The preamble and resolution received from the house of representatives on the 22d inst. directing our senators and requesting our representatives in congress to use their exertions to effect an extension of the judicial system of the United States to all the states in the union, and which was concurred in by the senate on yesterday, was reconsidered.

Ordered, that said preamble and resolution lie upon the table for consideration.

On motion of Mr. M'Means,

A bill for the relief of Laban B. Williams of Sullivan county, which was rejected on yesterday was reconsidered and passed the second time.

On motion of Mr. Cleveland,

A bill for the relief of Joel H. Dyer executor &c.

Which passed its third and last reading on yesterday, was reconsidered.

Mr. Cleveland offered an amendment to said bill

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which provided that the original securities to said debt, should not be released from liability to pay ultimately said debt.

Which was received by the senate.

Ordered, that the clerk acquaint the house of representatives therewith and ask their concurrence therein.

On motion of Mr. M'Means,

The senate again went into committee of the whole on the bill to amend the judiciary system of this state, and after some time spent in the consideration thereof the committee rose, and the speaker resumed the chair, when Mr. Hall reported, that the committee had adopted an amendment in lieu of the whole bill, and directed him to recommend its adoption to the senate. This amendment continued the supreme court as at present, until the number of judges should by death, resignation or otherwise be reduced to three, then said court to be composed of that number, repealed the chancery courts as now established by law; and requires the circuit judges to hold three courts in each county annually, one of which is to be exclusively a chancery term.

And the question thereon was taken,

Will the senate receive said amendment in lieu of the original bill.

And determined in the affirmative.

The said bill as amended was then read the second time and passed.

Mr. Walker submitted the following resolution:

Resolved that the senate meet the house of representatives in their hall on to-morrow at 10 o'clock, A. M. for the purpose of electing a solicitor general for the sixteenth solicitorial district.

On motion of Mr. Walker,

The rule of the senate requiring resolutions to lie one day upon the table was suspended.

The said resolution was then read and adopted.

Ordered, that the clerk acquaint the house of re-

presentatives therewith, and ask their concurrence therein. On motion of Mr. Walker,

The senate took up a resolution submitted by him on the 2d inst. appointing justices of the peace for Shelby county.

Mr. Walker moved to amend said resolution by inserting the name of Benjamin Robins therein.

Which was agreed to by the senate.

The said resolution as amended was then adopted.

Ordered that the clerk acquaint the house of representatives therewith, and ask their con urrence therein.

The senate took up on its third and last reading a bill to repeal part of the 2d section of an act entitled an act supplemental to an act to amend an act to condense and bring into one view the revenus laws of this state, and to amend the same passed November 22d 1817.

Mr. Brown moved to amend said bill by inserting the words, and no further, after the word Tennessee near the end of the bill,

Which was agreed to by the senate.

Ordered, that the clerk acquaint the house of representatives therewith and ask their concurrence therein.

A bill for the benefit of Samuel M'Connel.

A bill for the relief of Nancy W. Carver.

A bill for the relief of the heirs of Alexander Kirkpatrick dec'd. and

A bill to prevent nuisances in the water courses in this state,

Which bills had been laid upon the table,

Were taken up, severally read the first time and passed,

Received from the house of representatives,

A bill to enlarge the provisions of an act, entitled an act to authorize the drawing of lotteries in the counties of Dickson and Montgomery passed Nov. 24, 1825,

Which bill was read the first time and passed.

A bill for the relief of Wm. Young,
Was read the second time.
And the question thereon was taken,
Shall the said bill pass?
And determined in the affirmative.
There being ayes 10, noes 7.
The ayes and noes being required.

Those who voted in the affirmative, are	Those who voted in the negative, are
Mr. Amis,	Mr. Brown,
Anderson,	Frey,
Cleveland,	Hall,
Gass	Hughes,
Henderson	Johnson,
McClanahan,	Preston &
McMeans,	Walker—7.
Nelson	
Simpson, &	
Smartt—10.	

And so the said bill passed.
A bill for the relief of James Littleton,
Was read the third and last time passed and
Ordered, to be engrossed.
A message from the house of representatives by Mr. Campbell their clerk:
Mr. Speaker,
The house of representatives concur in your resolution to elect a solicitor general for the 16th solicitorial district on to morrow.
Also, in your resolution for the relief of John Jenkins.
And nonconcur in your resolution to print the public acts in the newspapers.
They have adopted the following resolutions in which they ask your concurrence.
Resolved, that the senate meet the house of representatives in their hall on to morrow for the purpose of electing an entry taker for the county of Franklin and a surveyor for the county of Hamilton

Resolved by the general assembly of the state of Tennessee,

That the following persons, be, and they are hereby appointed justices of the peace for their respective counties to wit:

For the county of Claiborne,

Joshua H. Chapman, Zachariah Hodge, Joseph Langhorn, Elias Harrison and Harvy Ritchie.

For the county of Sullivan,

Joseph Everett, John S. Gaines, Jesse Cross and Abram *M*'Clelland.

For the county of Dickson,

Joseph Kimble, William Shelby, James Nesbit and *Wm.* C. Sansome.

For the county of Carroll,

Abner Taylor and John Dudley.

For the county of Henderson,

Henry Hendricks and Samuel Snoddy.

For the county of Dyer,

Wm. Tyrrell and Nathaniel Benton.

For the county of Madison,

John Mays and Benjamin Young.

A resolution for the benefit of David Smith.

A resolution referring military warrant no 1098.

And, a resolution providing for the issuing of and adjudication of grants and certificates therein named.

And then he withdrew.

According to a rule of the senate said resolutions lies one day upon the table.

And then the senate adjourned.

SATURDAY, NOVEMBER 25, 1826.

Mr. Johnson from the committee on enrolled bills, Reported,

That they have examined and found to be truly enrolled.

An act to authorize the drawing of a lottery for

and benefit of the Shelbyville Dickson Academy in the county of Bedford.

An act to authorize the treasurer of east Tennessee to receive certain monies.

An act for the relief of David Newlen.

An act to repeal an act entitled an act to revive an act for the benefit of certain reservees passed Aug. 22d 1822, and

An act for the relief of A. H. Douglass.

The speaker signed said enrolled bills.

Ordered, that the clerk transmit them to the house of representatives, to receive the signature of their speaker.

Mr. Smartt from the military committee to whom was referred,

A bill to amend an act entitled an act to revise and amend the militia laws of this state.

A bill to form the volunteer companies attached to the 9th brigade of Rhea into a volunteer regiment.

A bill supplemental to the 112th section of the militia laws passed 1833.

A bill to amend the militia laws of this state.

A bill changing the numbering the regiment of cavalry attached to the 10th brigade of Tennessee militia, and

A bill changing the time of holding drill musters in the 13th brigade T. M.

Reported,

That they had, had said bills under consideration, and adopted an amendment in lieu of the whole of said bills containing the principles contained in all of said bills, and directed him to report said amendments and recommend its adoption in lieu of said bills.

The said amendment was read and adopted.

M. Anderson moved to amend said amendment by exempting citizens from being subject to fine for not wearing Epaulettes.

The said amendment was not agreed to by the senate.

The said bill as amended was then read the second time and passed.

Mr. Smartt from the same committee, made an unfavorable report on a bill to amend an act to revise the militia laws of this state passed 1825.

Mr. Henderson moved to nonconcur with the report of the committee on said bill.

And the question thereon was taken,

And determined in the affirmative.

And so said report was nonconcurred in.

Ordered, that said bill lie upon the table.

Mr. Smartt from the same committee made an unfavorable report upon a bill to amend the militia laws of this state.

A bill to provide for the payment of the members witness &c. at a court martial for the trial of General Wm. Stone.

A bill to amend the 76 section of the militia law of this state, and

A bill to amend the militia law of this state, and

Also, a petition of sundry owners of ironworks, praying an exemption of persons employed in the manufactories of Iron from the performance of militia duty.

The senate concurred in said report.

Ordered, that said bills and petition be laid upon the table until after the rise of this General Assembly.

The senate then took up and proceeded to the consideration of two resolutions reported by the committee on land claims on yesterday.

The said resolutions were again read and adopted.

Ordered, that the clerk acquaint the house of representatives therewith and ask their concurrence therein.

The senate then took up and proceeded to the consideration of a resolution received from the house

of representatives on yesterday proposing to elect an entry taker for Franklin county and a surveyor for Hamilton county,

Which was again read and concurred in.

Ordered that the clerk acquaint the house of representatives therewith.

The senate then took up and proceeded to the consideration of a resolution appointing justices of the peace for the counties of Claiborne, Sullivan, Dickson, Carroll, Henderson, Dyer and Madison,

Which resolution was again read.

Mr. Amis moved to nonconcur with so much of said resolution as appoints John S. Gaines and Jesse Cross justices of the peace for Sullivan county.

And the question thereon was taken,

And determined in the affirmative.

And so that part of said resolution was nonconcurred in.

The question was then taken,

Will the senate concur in the balance of said resolution.

And determined in the affirmative.

Ordered, that the clerk acquaint the house of representatives therewith.

This day at the hour of 10 o'clock in conformity with joint resolutions heretofore adopted.

The speaker and gentlemen repaired to the hall of the house of representatives for the purpose of going into the several elections set apart for this day and were invited to seats within the bar. The two houses first proceeded by ballot to the election of a solicitor general for the sixteenth solicitorial district, and upon collecting and counting out the ballots, the speaker of the senate pronounced that Wm. Fitzgerald Esq. was duly and constitutionally elected solicitor general for the sixteenth solicitorial district.

The two houses next proceeded to the election of Entry taker for Franklin county, and a Surveyor for Hamilton county, and upon collecting and counting

out the ballots the Speaker of the Senate pronounced that Willie B. Wagoner was duly elected Entry-taker for Franklin county and Sam'l. K. Russell Surveyor for Hamilton county.

Whereupon the sp[illegible] and gentlemen of the senate returned to the[illegible] own chamber and the speaker resumed the chair.

The senate took up and proceeded to the consideration of a "preamble and resolutions directing our senators and representatives in Congress to use their exertions to effect an extension of the judicial system of the United States to all the states in the union," which was laid upon the table on yesterday.

Mr. Brown moved a division of the question, so as to take the vote upon the preamble and resolutions seperately.

Which was agreed to by the senate.

The question was then taken upon a concurrence in said preamble,

And determined in the affirmative,

Mr. Brown moved to non-concur in the resolutions appended to said preamble.

And the question thereon was taken,

And determined in the affirmative.

And so the said resolutions were non-concurred in.

Mr. Brown then submitted a resolution in lieu of those non-concurred in, which approved of the course pursued by our Senators and Representatives in Congress, and saying that it is expected that they will continue their exertions as heretofore, to procure upon fair and proper principles, an equal participation in the benefits and advantages of the Federal Judiciary to all the states in the union.

Which resolution was adopted.

Ordered that the clerk acquaint the house of representatives therewith, and ask their concurrence therein.

A bill to encourage the building of Mills in the Western District,

Was read the third and last time.

Mr. Hall moved to amend said bill by striking out "three hundred" in the fourth section and "four hundred" in the fifth section, and insert in lieu thereof "not more than two hundred."

Which was agreed to by the senate.

Ordered that the clerk acquaint the house of representatives therewith, and ask their concurrence therein.

A message from the house of representatives by Mr. Campbell their clerk.

Mr. Speaker:

The speaker of the house of representatives having signed enrolled bills entitled

An act to authorize a lottery for the benefit of Cumberland College.

An act directing the collection of Academy monies loaned by the Treasurer.

An act to continue in force the provisions of an act passed at the last session of the general assembly, and

An act to provide for the better regulation of the town of Dover in the county of Stewart.

I am directed to deliver them to the senate, to receive the signature of their speaker.

The house of representatives concur in the amendments by you proposed to

A bill to repeal part of the 2d section of an act, entitled "an act to amend an act to condense and bring into one view the revenue laws of this state and to amend the same, passed Nov. 22d, 1817," and non-concur in your amendment to

A bill for the relief of Joel Dyer, executor, &c.

They have adopted a resolution referring grant No. 783 for adjudication.

Also, a resolution for the relief of John Peyton and for other purposes.

In which they ask your concurrence.

And then he withdrew.

According to a rule in the senate, said resolutions lie upon the table one day.

The speaker signed the enrolled bills received from the house of representatives.

Ordered that the clerk deposit them in the office of the secretary of state.

A bill to repeal part of the second section of an act, entitled an act, to amend an act, to condense and bring into one view the revenue laws of this state, and to amend the same, passed Nov. 22d, 1817,

Which had been amended by message,

Was read the third and last time,

And the question thereon was taken,

Shall the said bill pass?

And determined in the affirmative.

There being ayes 10, noes 9.

The ayes and noes being required,

Those who voted in the affirmative are,	Those who voted in the negative are,
Mr. Speaker Foster,	Mr. Amis
Brown,	Anderson,
Frey,	Bradford,
Gass,	Cleveland,
Hall,	Henderson,
Hughes,	M'Clanahan,
Johnson,	M'Means,
Simpson,	Nelson, and
Smartt and	Preston—9.
Walker—10.	

And so the said bill passed, and was

Ordered to be engrossed.

A bill for the relief of James Walker, jr. which had been laid upon the table, was taken up, read the first time and passed.

Mr. Brown returned

A bill to repeal an act, entitled, "An act for the relief of owners of Lots in the town of Alexandria, in the county of Smith,

With an amendment, which was received.

The said bill as amended was read the first time and passed,

Mr. Brown submitted the following resolution:

Resolved by the general assembly of the state of Tennessee,

That the sheriff of Giles county may, by and with the consent of the justice who issued the warrant, and the person on whose application and information the same was issued, surrender to the proper person the negroes now in his possession, the sale of which was postponed by a former resolution of this session, on such persons paying the costs heretofore accrued in the proceedings against said slaves, and giving the necessary releases of all causes of action for their detension.

On motion of Mr. Brown,

The rule of the senate requiring resolutions to lie one day up on the tablewas suspended.

The said resolution was then read and adopted.

Ordered that the clerk acquaint the house of representatives therewith, and ask their concurrence therein.

In which resolution the house of representatives concurred, and acquainted the senate therewith by message.

Mr. Brown submitted the following resolution:

Resolved by the general assembly of the state of Tennessee,

That grant No. 16680, be referred to the commissioner for adjudication, to examine what part thereof has been lost by the interference of an older and better title, and issue a certificate therefor to the proper persons to be located south and west of the congressional reservation line.

According to a rule of the senate, said resolution lies one day upon the table.

Mr. Amis submitted the following resolution:

Resolved by the general assembly of the state of Tennessee,

That George Gammon and William Rockhold be,

and they are hereby appointed justices of the peace for the county of Sulivan, and

Mr. Brown the following:

Resolved that 100 copies of the report of the commissioners on the part of this state and Alabama, relative to the removal of the obstructions in the Muscle Shoals of the Tennessee river be printed, sixty copies for the use of the members of the general assembly and the balance to be deposited in the secretary's office, who shall copy the map appended to said report, and forward the original report and map as soon as practicable to the commissioners on the part of Alabama.

The rule of the senate requiring resolutions to lie one day upon the table, was suspended.

The said resolutions were then both read and adopted.

Ordered that the clerk acquaint the house of representatives therewith, and ask their concurrence therein.

Received from the house of representatives,

A bill to divorce George Furr from his wife Eleanor,

Which was read the first time and rejected.

A bill to divorce Elizabeth Dennis from her husband *Azariah* Dennis.

A bill to authorize county courts to appoint persons to settle with executors, administrators and guardians, and

A bill for the relief of John Rayburn, sheriff of Wayne county,

Were severally read the second time and rejected.

A bill for the relief of Early Benson and George Beaver and for other purposes.

A bill to amend an act to revise the Militia Law of this state, passed at the last session of the general assembly.

A bill directing the register of the Western District to issue grants in certain cases.

A bill to regulate the county courts of Maury and other counties.

A bill to authorize the Treasurer of West Tennessee to pay to John Haywood and Robert L. Cobbs $200 each.

A bill to repeal part of an act passed 1825 relating to the navigation of Red river and for other purposes, and

A bill to appoint additional Trustees for East Tennessee College,

Were severally read the second time and passed.

A bill for the relief of Thomas G. Watkins.

A bill for the relief of the citizens of the county of Sevier residing between Bay's Mountain and the river Holston.

A bill for the benefit of the Sheriff of Claiborne county.

A bill to authorize a Lottery for the improvement of the navigation of the Forked Deer river.

A bill supplemental to an act, entitled "An act to authorize Samuel Terry, Peter Hoodenpyl and Wm. Raney to open a Turnpike road.

A bill for the relief of Jesse Mayfield of M'Minn county, and

A bill for the relief of Joseph Dyer, executor, &c.

Were severally read the third and last time, passed and

Ordered to be engrossed.

A message from the house of representatives by Mr. Campbell their clerk.

Mr. Speaker:

The house of representatives insist upon your concurrence in the appointment of John G. Gains and Jesse Cross as justices of the peace for Sullivan county.

They have taken up on its third and last reading,

"A bill to amend the laws respecting Cumberland College," and propose amending the same by striking out the word "Tennessee" after the words "University of" in the first section, and insert in lieu thereof

the words Nashville in the State of Tennessee,
In which they ask the concurrence of the Senate.
And then he withdrew.

The insisting mesage from the house of representatives on the appointment of justices of the peace for Sullivan county, was read at the clerk's table.

Mr. Amis moved to non-concur in said insisting message.

And the question thereon was taken,
And determined in the affirmative.

And so the said insisting message was non-concurred in.

Ordered that the clerk acquaint the house of representatives therewith.

The message from the house of representatives proposing to amend the "Bill to amend the laws respecting Cumberland College" was then read at the clerk's table.

Mr. McMeans moved that the Senate concur in so much of said message as proposes to strike out "Tennessee" in the first section, and insert Nashville, and non-concur in so much thereof as proposes to insert in the State of Tennessee,

And the question thereon was taken,
And determined in the affirmative.

Ordered that the clerk acquaint the house of representatives therewith.

A bill for the relief of Rachael Houston,
Was read the second time.

Mr. Foster offered an amendmendatory section to said bill, which extended to Judith R. Long all the privileges of a Feme. Sole. except that of intermarrying with another man during the existence of the bonds of matrimony between her and her husband Nicholas I. Long of Maury,

Which amendment was received, and the said bill passed the second time.

Mr. Simpson withdrew for amendment;

A bill to establish the lines between the counties of White, Bledsoe and Rhea, and

Mr. Walker,

A bill to amend an act, entitled "an act to fix permanently the seat of justice in Hardin county.

Mr. Johnson, from the committee on enrolled bills, Reported,

That they had examined and found truly enrolled,

An act for the relief of Thomas G. Watkins, and

An act for the relief of Joel H. Dyer, executor, &c.

The speaker signed said enrolled bills.

Ordered that the clerk transmit them to the house of representatives to receive the signature of their speaker.

And then the senate adjourned.

MONDAY, NOVEMBER 27, 1826.

Mr. McMeans presented a petition of the officers of the 33th Regiment, T. M. praying that said Regiment may be divided, and that Tennessee river be made the dividing line.

Ordered that said petition be laid upon the table.

The senate took up and proceeded to the consideration of a resolution submitted by Mr. Brown on Saturday, referring grant No. 16000 for adjudication,

Which was again read and adopted.

Ordered that the clerk acquaint the house of representatives therewith and ask their concurrence therein.

The senate then took up and proceeded to the consideration of a resolution received from the house of representatives on Saturday, referring grant No. 783 for adjudication,

Which was again read and concurred in.

The senate then took up and proceeded to the consideration of a resolution received from the house of representatives on Saturday, for the relief of John Peyton and for other purposes,

Which was again read, and

On motion of Mr. *Walker*,

Ordered that so much of said resolution as authorizes John Peyton and John Hinds to file certain entries for adjudication be laid upon the table indefinitely.

The senate then concurred in so much of said resolution as directs the Secretary of State to deliver title paper to the persons entitled, &c.

Ordered, that the clerk acquaint the house of representatives therewith.

On motion of Mr. Anderson,

The senate took up a resolution received from the house of Representatives on the 22d inst. appointing justices of the peace for the county of Knox, and which had been laid upon the table,

Which was again read and concurred in.

Ordered, that the clerk acquaint the house of representatives therewith.

Mr. Johnson, from the committee on enrolled bills,

Reported,

That they had examined and found to be truly enrolled,

An act to repeal a part of the 2d section of an act entitled, "an act, supplemental to an act, to consolidate and bring into one view the revenue laws of this state and to amend the same, passed at Knoxville, Nov. 22d, 1817.

An act for the relief of the Sheriff of Claiborne county.

An act for the relief of James Littleton.

An act to authorize a Lottery for the improvement of Forked Deer river.

An act for the relief of the citizens of the county of Sevier, residing between Bay's mountain and the river Holston.

An act, supplemental to an act, entitled "an act to authorize Samuel *Terry*, Peter Hoodenpyl and Wm. Rainey to open a Turnpike road" passed Nov. 19th, 1819, and

An act for the relief of Jesse Mayfield of M'Minn county.

The speaker signed said enrolled bills.

Ordered, that the clerk transmit them to the house of representatives to receive the signature of their speaker.

Mr. Amis submitted the following resolution:

Resolved by the general assembly of the state of Tennessee,

That William Hagood and Eldridge Hord be, and they are hereby appointed justices of the peace for Hawkins county.

On motion of Mr. Amis,

The rule of the senate requiring resolutions to lie one day upon the table, was suspended, and said resolution adopted.

Ordered, that the clerk acquaint the house of representatives therewith and ask their concurrence therein.

Mr. Bradford submitted the following resolution:

Resolved. That the State Bank issue immediately two hundred thousand dollars of its notes, said notes to express in the face thereof that they will be received in payment of all debts due said institution at the agencies. Also, in payment of the state and county taxes which may hereafter fall due. And the same when so issued, to be sent to the different counties in the proportions as heretofore required by law, and loaned and re-loaned to the people thereof until the next session of the general assembly, and

Mr. Walker the following:

Resolved, That a joint select committee be appointed to ascertain the expenses of this general assembly, to include Saturday the 2d of December next and no longer.

According to a rule of the senate, said resolutions lie one day upon the table.

A message from the house of representatives by Mr. Campbell their clerk.

Mr. Speaker:

The house of representatives non-concur in your resolution to print 100 copies of the report of the commissioners on the part of this state and the state of Alabama, relative to the removal of the obstructions to navigation, occasioned by the Muscle Shoals in Tennessee river.

They also nonconcur in your resolution appointing Wm. Hagood and Eldridge Hord justices of the peace for Hawkins county.

They also nonconcur in your resolution appointing George Gammon and Wm. Rockhold justices of the peace for Sullivan county.

They concur in your proposed amendment to "A bill to encourage the building of Mills in the Western District."

They also concur in your amendments to the preamble and resolutions instructing our senators and representatives in Congress concerning the Federal Judiciary.

They adhere to their insisting message appointing John G. Gains and Jesse Cross justices of the peace for Sullivan county, and again ask your concurrence therein.

They concur in your resolution referring grant No. 16680 for adjudication.

Also, in your resolution referring the grants and military warrants therein mentioned.

And then he withdrew.

The senate took up on its second reading,

A bill to repeal all laws now in force in this state concerning Indian reservations and for other purposes.

Mr. Brown offered an amendment in lieu of the whole bill, from the word A bill, providing for the appointment of an Attorney General for the State of Tennessee, and pointed out his duties,

Which amendment was received by the senate, the caption being changed to read,

A bill appointing an Attorney General for the state of Tennessee.

Mr. Henderson and Mr. Amis each, offered amendments to said bill, which were received.

The said bill as amended was then read the second time.

And the question thereon was taken,

Shall the said bill pass?

And determined in the affirmative,

There being ayes 14, noes 5.

The ayes and noes being required.

Those who voted in the affirmative are,	Those who voted in the negative are,
Mr. Speaker Foster,	Mr. Amis,
Anderson,	Bradford,
Brown,	Cleveland,
Frey,	Henderson, &
Gass,	Nelson—5.
Hall,	
Hughes,	
Johnson,	
M'Clanahan,	
M'Means,	
Preston,	
Simpson,	
Smartt, and	
Walker—14.	

And so said bill passed.

A bill to authorize the Treasurer of West Tennessee to pay over monies to the county trustees in the Western District in certain cases,

Was read the second time,

And the question thereon was taken,

Shall the said bill pass?

And determined in the negative.

There being ayes 5, noes 13.

The ayes and noes being required,

Those who voted in the affirmative, are	Those who voted in the negative, are
Mr. Speaker Foster,	Mr. Amis,

Gass,
M'Means,
Preston, &
Walker—5

Anderson,
Bradford,
Cleveland,
Frey,
Hall,
Henderson,
Hughes,
Johnson,
M'Clanahan,
Nelson,
Simpson and
Smartt—13

And so the said bill was rejected.

A bill for the relief of Wm. Young,
Was read the third and last time,
And the question thereon was taken,
Shall the said bill pass?
And determined in the affirmative,
There being ayes 11, noes 7.
The ayes and noes being required.

Those who voted in the affirmative are,	Those who voted in the negative, are
Mr. Speaker Foster,	Mr. Brown,
Amis,	Frey,
Anderson,	Hall,
Cleveland,	Hughes,
Gass,	Johnson,
Henderson,	Preston and
McClanahan,	Walker—7.
M'Means,	
Nelson,	
Simpson, &	
Smartt—11	

And so the said bill passed and was
Ordered to be engrossed.

Received from the house of representatives,
A bill to amend an act, entitled "An act to revise and amend the Militia law.

A bill to authorize judgments to be taken on bonds

or notes given at county agencies without powers of attorney.

A bill providing payment for justices of the peace for services by them rendered.

Which bills were severally read the first time and rejected.

A bill concerning Sheriffs,

Was read the second time and rejected.

Received from the house of representatives,

A bill to authorize the raising of a volunteer Rifle Company in the 40th and 95th regiments of Tennessee Militia.

A bill making an appropriation of money to defray the expenses of the second session of the 16th general assembly.

A bill to amend the Militia Law of this state.

A bill to authorize a resurvey of Overton county.

A bill for the benefit of Isaac Jones of Knox county.

A bill to amend an act, entitled "an act, supplemental to an act, entitled "an act to settle the claims of North Carolina and for the benefit of the occupants of the Western District," passed at the last session of the general assembly.

A bill to amend the laws in relation to the payment of cost on prosecutions for damages, and

A bill to regulate fees on lands sold for taxes,

Which bills were severally read the first time and passed.

A bill for the relief of Wilson Cage.

A bill to establish a third battallion in the 9th regiment T. M.

A bill for the benefit of Samuel M'Connel.

A bill directing duplicates to issue in lieu of warrant no. 355 for 960 acres.

A bill for the relief of securities in certain cases.

A bill for the relief of Charles Miles.

A bill to establish annual musters in the regiment of cavalry attached to the 4th brigade.

A bill for the relief of the Murfreesboro sentinels and for other purposes.

A bill to exempt a certain piece of land on which Mount Pleasant meeting house stands from taxation.

And, a bill for the relief of Joseph Calloway.

Were severally read the second time and passed.

A bill to encourage the building of mills in the western district.

Was read the third and last time passed and

Ordered, to be engrossed.

Mr. Walker returned

A bill to amend an act entitled an act to fix permanently the seat of justice in Hardeman county.

With an amendment in lieu of the whole bill which was received.

The said bill as amended was then read the second time and passed.

Mr. Nelson withdrew for amendment

A bill to repeal part of a law passed 1817.

On motion of Mr. Brown,

Ordered, that the clerk do by message insist upon the concurrence of the house of representatives in the resolution to print the report of the commissioners on the part of this state, and the state of Alabama, relative to the removal of the obstruction to navigation occasioned by the muscle shoals in Tennessee river.

And then the senate adjourned.

TUESDAY, NOVEMBER 28, 1826.

Mr. Cleveland from the committee of propositions and grievances,

Reported,

A bill for the relief of Ambrose Powell.

Which was read the first time and passed.

The senate took up and proceeded to the consideration of a resolution submitted by Mr. Bradford on yesterday directing the bank of the state to issue an additional amount of money, also, a resolution sub-

mitted by Mr. Walker on yesterday to appoint a committee to ascertain the expences of this general assembly.

Ordered, that said resolutions lie upon the table indefinitely.

The senate then took up and proceeded to the consideration of a message from the house of representatives on yesterday adhereing to their insisting message to appoint John S. Gaines and Jesse Cross justices of the peace for Sullivan county.

On motion of Mr. *Amic*,

The senate adhearred to their nonconcurrence in said insisting message.

Ordered, that the clerk acquaint the house of representatives.

On motion of Mr. Hall,

The Senate took up a resolution received from the house of representatives for the relief of John Peyton, and which was laid upon the table on yesterday,

Which resolution was read and nonconcurred in.

Mr. Hall then submitted

A resolution for the relief of John Peyton, in lieu of the one just nonconcurred in.

Which was read and adopted.

Ordered, that the clerk acquaint the house of representatives therewith and ask their concurrence therein.

The senate then took up a resolution for the benefit of John Hinds, which was laid upon the table on yesterday, and concurred therein.

Ordered, that the clerk acquaint the house of representatives therewith.

A bill to authorize the treasurers to loan to Henry Bridleman the sum of five thousand dollars to encourage the manufactory of broad cloth and other woolens.

Which had been laid upon the table, was taken up read the first time and passed.

Received from the house of representatives,

A bill for the relief of sheriffs, coroners and constables.

A bill to provide for furnishing such of the clerks in this state, as have not been supplied with a copy of Scott's revisal of the laws of North Carolina and Tennessee.

A bill to revive an act passed August 23d 1822 entitled an act for the relief of Charles and Valentine Sevier.

A bill to authorize assignments of entries to be proven in certain cases.

A bill to authorize the drawing of a lottery for the benefit of Richard Jones jun'r.

A bill for the relief of A. P. Maury and John Fitzgerald.

A bill for the benefit of the corporations of Blountsville and Kingsport.

A bill for the benefit of Noah Parker.

A bill to establish an academy at Covington, in the county of Tipton.

A bill for the benefit of Ephraim Maxwell.

A bill for the benefit of John P. Dix.

A bill to amend an act entitled an act to provide for running the line between the counties of Jackson and Overton passed 3d Dec. 1825.

A bill to authorize John Brown and Robert Rush to open a turnpike road.

A bill for the relief of Pollard Wisdom.

A bill to establish the town of Russelsville in the county of Jefferson.

A bill to diminish cost in certain cases.

A bill to authorize the drawing of a lottery to enable Jeremiah Seal, Wm. Knott, Jeremiah Frazier, Erasmus Ragsdale and Wm. Sample to make salt in the county of Bedford.

A bill to authorize Michael Reed and Franklin Whitaker to build a mill and cotton gin on Cub creek.

A bill for the relief of Charles M'Cormack of Anderson county.

A bill concerning a well to be dug in the town of Lawrenceburg.

A bill for the relief of Christopher Brooks.

A bill to authorize the sheriffs of Warren and Hawkins counties to appoint additional deputies.

A bill to authorize George Sharp and others to build a fish trap and dam in Powells river.

A bill to alter and establish the lines between the counties of Jefferson and Knox.

A bill to repeal part of an act authorizing Reuben Ross to build a bridge across caney fork, and

A bill concerning the public highways of Tipton county,

Which bills were severally read the first time and passed.

A bill for the benefit of James Walker jun'r.

A bill to point out the duty of justices of the peace in granting warrants in suits of damages for sums of twenty dollars and under.

A bill for the relief of the securities of the entry taker of Stewart county.

A bill concerning costs in certain cases.

A bill for the benefit of Wm. Gann of Perry county.

A bill to amend an act to incorporate the inhabitants of the town of Knoxville in the county of Knox.

A bill to prevent nuisances in the water courses in this state.

A bill to compel Plaintiffs to give to defendants their proper credits.

A bill to authorize Matthew English to open a turnpike road.

A bill to establish the 10th judicial circuit in the state of Tennessee.

A bill to authorize a certain deed of conveyance to be registered.

A bill for the benefit of *Wm. B.* Clayton.

A bill to authorize Willie Ledbetter to hawk and peddle without licence.

A bill for the relief of Jason Thompson.

A bill for the benefit of Isaac and Elizabeth Pearce and others.

A bill to amend an act entitled an act to improve the navigation of Wolf river in the western district passed 16th October 1824.

A bill for the relief of Elizabeth Hommond, and

A bill for the relief of Sena Grubbs,

Were severally read the second time and passed.

A bill to amend an act entitled an act to amend an act supplemental to an act to dispose of the lands lying between the rivers Hiwassee and Tennessee, and north of little Tennessee river, passed November 25th 1825.

A bill for the relief of Polly B. Caperton of Franklin county.

A bill to alter the names of the persons therein named.

A bill to legalize certain proceedings and elections in Dyer county, and

A bill for the benefit of Early Benson and George Boners, and for other purposes,

Were severally read the third and last time passed and

Ordered, to be engrossed.

Received from the house of representatives

A bill for the relief of Jacob Sitgraves, and the heirs of Neil Hutson.

A bill for the benefit of Spencer Beavers sheriff of M'Minn county.

A bill to subject all lands in the Hiwassee district to execution, when the same is held by certificate of purchase or entry, and not granted.

A bill for the relief of Lee, and

A bill concerning appeals.

Which bills were severally read the first time and rejected.

A bill for the relief of William Usury and others.

A bill to alter the name and make legitimate the persons therein named, and

A bill regulating damages upon inland bills of exchange,

Were severally read the second time and rejected.

The senate took up on its third and last reading, a bill for the relief of Samuel Buchanan.

Mr. Bradford moved to amend said bill by inserting the name of John Sutton after the name of Samuel Buchanan in the body and caption of said bill,

Which was agreed to by the senate.

Ordered, that the clerk acquaint the house of representatives therewith and ask their concurrence therein.

Mr. Nelson returned

A bill to repeal part of a law passed 1817 and for other purposes.

With an amendment in lieu of the whole bill,

Which was received.

The said bill as amended was then read the second time and passed.

Mr. Simpson returned

A bill to establish the lines between the counties of White and Bledsoe,

With an amendment in lieu of the whole bill which was received.

The said bill as amended, was then read the second time and passed.

A bill concerning mill dams, which have been unlawfully built across Elk river,

Was read the second time.

Mr. Brown offered an amendment in lieu of the whole bill, which was received and the said bill passed the second time.

Mr. Cleveland withdrew for amendment

A bill for the benefit of common schools, and

Mr. Anderson

A bill supplemental to an act requiring clerks and trustees and other officers of the several counties to perform certain duties.

A message from the house of representatives by Mr. Campbell their clerk.

Mr. Speaker:

The house of representatives have adopted the following resolutions in which they ask your concurrence:

Resolved by the general assembly of the state of Tennessee,

That the following persons be, and they are hereby appointed justices of the peace for their respective counties to wit:

For the county of Hawkins,

James Willis, Ezekiel Sulivan, John Wallen, Robert Young jun'r, Lazarus Spears, Robert Dobson, Allen Mooney and Eldridge Horde.

For the county of Wayne,

William B. Poag, Elken Hands, Wm. Newton, Henry Matran, Jacob Biffle, Abraham Brewer and Francis M'Bride.

For the county of M'Nairy,

Nathan Kemp, Benjamin Jones, Milton C. Martin and Charles Tyrrell.

For the county of Tipton,

Larken Terrill and Wm. Frazier.

For the county of Shelby,

David Dunn and Robert Micharberry.

For the county of Fayette.

Isaac B. M'Clelland, Wilkins Oldham, Thomas M'Macking, Samuel Wilson, Henry S. Steele, John Ragan, David W. Head and Thomas J. Cook jun'r.

Resolved, that Richard B. Mitchell and James M. Howry, be, and they are hereby appointed notaries public for the county of Hawkins, also,

A resolution for the relief of John T. Hartman.

A resolution for the benefit of George Beard of Bedford county.

A resolution referring of sundry grants to the commissioner for adjudication.

And then he withdrew.

According to a rule of the senate said resolutions lies one day upon the table.

Mr. Johnson submitted the following resolution:

Resolved by the general assembly of the state of Tennessee,

That it shall be the duty of the attornies general of each and every solicitorial district in this state, at the first term of either of the circuit or county courts holding in any of the counties composing his district, forthwith to examine personally the books of the county entry taker in such county, appointed under the act of 1823 chap. 49, and if upon examination, it shall appear, that any of such entry takers have failed to enroll in a well bound book as required by the aforesaid act, the various entries which have been made in his office, it shall be the duty of such attorney general to proceed against such delinquent entry taker, by indictment for misdemeanor in office without a prosecutor, being marked on such indictment,

Resolved, further, that if upon such examination being made as aforesaid by the attorney general it shall appear to him, that such entry taker has not complied with the provisions of the act aforesaid, it shall be his duty to take into his possession all the papers and books that may have a relation to such office, and retain the same until the determination of the prosecution which is hereby directed to be prosecuted against such entry taker, and a refusal of such entry taker to deliver over such papers as aforesaid shall be taken prima facie evidence of his delinquency.

Mr. Bradford the following:

Resolved by the general assembly of the state of Tennessee,

That John Barrett, be, and he is hereby appointed a justice of the peace for the county of Bedford, and

Mr. M'Clanahan the following:

Resolved, that the senate meet the house of representatives, in their hall on Friday at 12 o'clock for the purpose of electing an entry taker for the county of Rutherford.

According to a rule of the senate, said resolutions lies one day upon the table.

And then the senate adjourned.

WEDNESDAY, NOVEMBER 29, 1826.

Mr. Johnson from the committee on claims to whom had been referred a petition of P. Carey praying compensation for sundry advertising of land for taxes in the Knoxville Intelligencer,

Reported,

That the prayer contained in said petition is unreasonable.

The senate concurred in said report.

Mr. Johnson from the committee on enrolled bills,

Reported,

That they had examined and found to be truly enrolled.

An act for the relief of *Wm.* Scott.

An act for the relief of Wm. Young.

An act to alter the name of the persons therein mentioned.

An act for the benefit of David Richarson clerk, of the circuit court of Campbell county, and

An act to encourage the building of mills in the western district.

The speaker signed said enrolled bills.

Ordered, that the clerk transmit them to the house of representatives, to receive the signature of their speaker.

Ordered, that a resolution submitted by Mr. Johnson on yesterday requiring certain duties of attornies general, and a resolution submitted by Mr. Bradford on yesterday appointing a justice of the peace for Bedford county, be laid upon the table indefinitely.

The senate took up a resolution submitted by Mr. M'Clanahan on yesterday proposing to elect an entry taker for Rutherford county.

Which was again read and adopted.

Ordered that the clerk acquaint the house of re-

presentatives therewith, and ask their concurrence thereto.

The senate then took up and proceeded to the consideration of the following resolutions received from the house of representatives on yesterday, and laid upon the table,

Which resolutions were again severally read and concurred in.

Ordered that the clerk acquaint the house of representatives therewith.

The senate then took up and proceeded to the consideration of a resolution received from the house of representatives on yesterday appointing justices of the peace for the several counties therein mentioned.

Mr. Amis moved to nonconcur in so much of said resolution as appoints Robert Young & Robert Dobson for the county of Hawkins,

Which was agreed to by the senate.

Mr. *W*alker moved to lay upon the table so much of said resolution as appoints justices of the peace for Tipton and Shelby counties,

*W*hich was agreed to by the senate.

The balance of said resolution was then concurred in.

Ordered, that the clerk acquaint the house of representatives therewith.

The senate then took up and concurred in the resolution received from the house of representatives on yesterday appointing notaries public for Hawkins county.

Ordered, that the clerk acquaint the house of representatives therewith.

Received from the house of representatives,

A bill to provide for defraying the expenses of removing the public property and records from Murfreesboro to Nashville-

A bill for the relief of Philip Maury.

A bill to authorize the drawing of a lottery in the county of Henderson.

A bill to incorporate the inhabitants of the town of Dresden, in the county of Weakly

A bill to establish separate elections in the county of Greene.

A bill directory to the judge holding the circuit court for the county of Greene.

A bill for the relief of A. N. Montgomery,

A bill to authorize the justices of the peace in the county of Greene to class themselves for holding the county courts.

A bill to provide payment for the members of the court martial which tried General James Bradford.

A bill for the relief of the heirs of John Weems.

A bill to suspend the sale of school lands and collect rents, and

A bill to restore Wm. Hewet to his rights and privileges as a citizen of this state.

Which bills were severally read the first time and passed,

A bill for the relief of Richard Belcher.

A bill for the relief of Wm. Philips late sheriff of Hickman county.

A bill to incorporate the Bolivar academy in the county of Hardeman.

A bill for the relief of Nancy W. Carver of Wilson county.

A bill regulating the duty of clerks and sheriffs of the different counsies in relation to receiving and counting the votes for or against a convention at the next general election and for other purposes.

A bill for the relief of the persons therein named.

A bill for the relief of Francis Moore and Robert C. Davis.

A bill to appoint a commissioner for the town of Newport.

A bill for the benefit of George S. Jarratt,

A bill to authorize the county court of Gibson county to lay a tax and for other purposes.

A bill to authorize the drawing of a lottery for the

purpose of building a masonic hall in the town of Knoxville

A bill to provide for the building of a jail in Montgomery county.

A bill concerning the Winchester Light Infantry company.

A bill reviving and amending the laws, prohibiting the introduction of slaves into this state as articles of merchandize.

A bill for the relief of John H. Bills, and

A bill for the relief of Wm. Forbean and to authorize him to continue his mill dam,

Were severally read the second time and passed.

A bill to amend an act to dispose of the lands lying between the rivers Hiwassee and Tennessee, and north of little Tennessee river passed November 15, 1819.

A bill vesting particular powers in the county court of Monroe county.

A bill to legalize the official acts of the justices of the peace therein named, and

A bill for the relief of Reuben Smith and James N. Smith,

Were severally read the third time and passed.

A bill directing the register of the Western District to issue grants in certain cases.

A bill directing duplicates to issue in lieu of warrant no 385 for 960.

A bill to prohibit clerks of the superior and inferior courts in law and equity of this state from becoming security in suits determinable in the courts to which they act as clerks respectively.

A bill to repeal part of an act passed 1825 relating to the navigation of Red river and for other purposes.

A bill to authorize the court of pleas and quarter sessions of Anderson county, to build a house for the accommodation of the poor and for other purposes and

A bill for the relief of clerks and solicitors,

Were severally read the third and last time, passed and

Ordered to be engrossed.

Mr. Cleveland returned

A bill for the benefit of Common Schools, with an amendment in lieu of the whole bill, which provided that all the money heretofore received or which may hereafter be received for lands in the Hiwassee district and south of French Broad and Holston at twelve and one half cents per acre and under, shall be by the president and directors of the Bank of the State, passed to the credit of the common school fund, to constitute and remain a part of said fund, &c.

Which amendment was received, and said bill passed the second time.

Mr. Anderson returned

A bill supplemental to an act entitled an act requiring clerks and trustees and other officers of the several counties in this state to perform certain duties without amendment.

The said bill was read the second time and rejected.

A bill for the benefit of the surveyor of the 10th surveyors district, and

A bill for the relief of Elizabeth Whelles,

Were both read the second time and rejected.

Mr. Walker submitted the following resolution:

Resolved by the general assembly of the state of Tenhessee,

That the surveyor of the 9th district be, and he is hereby required to permit Joseph Porter to make void entry no 1185 founded on warrant no 4644 for 61¾ acres and re-enter the same on any vacant and unappropriated land in his district.

And, that the surveyor of the eighth district, shall permit Wm. Anslot to make void entry no for twenty acres lying on Blue Buck creek, in Hickman county, and re-enter the same on any vacant land in his district, and

Mr. Brown the following:

Resolved by the general assembly of the state of Tennessee,

That grants nos. 9656, 364, 390, 391, 392 and 161 be referred to the commissioner for adjudication, being cases of interference.

According to a rule of the senate said resolutions lies one day upon the table.

A message from the house of representatives by Mr. Campbell their clerk:

Mr. Speaker,

The speaker of the house of representatives having signed an enrolled bill entitled an act to amend the laws respecting Cumberland College.

I am directed to deliver it to the senate to receive the signature of their speaker.

The house of representatives have received read and accepted the resignation of Samuel M'Caleb a justice of the peace for Knox county.

They concur in your resolution for the relief of John Peyton.

Also, in the amendment by you proposed, to

A bill for the relief of Samuel Buchanan, and

Also, in your resolution to print the report of the commissioners on the part of this state and the state of Alabama, concerning the navigation of Tennessee river, so far as directs the printing thereof, but non-concur as to the number of copies, and propose that 1200 should be printed, in which they ask your concurrence.

They have adopted the following resolutions, in which they ask your concurrence:

Resolved by the general assembly of the state of Tennessee,

That the following persons be, and they are hereby appointed just[illegible] of the peace for their respective counties, to wit:

For Knox county,

Robert Tumlin,

For Williamson county,

David C. Kinnard.

For Sullivan county,

John S. Gaines, Jesse Cross, James Poindexter, Geo. Gammon and Wm. Rickhold.

For Henderson county,

John A. Greer, Hezekiah Bradberry and James E. Jordan.

For Carroll county,

David Moore.

A resolution for the relief of Jonathan Welch, and

A resolution for the relief of Joseph Derham.

And then he withdrew.

According to a rule of the senate said resolution lies one day upon the table.

The resignation of Samuel M'Caleb, a justice of the peace for Knox county, was read and accepted.

The senate concurred in the proposition of the house of representatives to print 1200 copies of the report of commissioners on the subject of the navigation of Tennessee river.

The speaker signed the enrolled bill received from the house of representatives.

Ordered that the clerk deposit it in the office of the secretary of state.

A bill for the benefit of Samuel Buchanan and John Sutton, which had been amended by message, was read the third and last time, passed and

Ordered, to be engrossed.

On motion of Mr. Hall,

A bill for the benefit of Jacob Sitgraves and the heirs of Neil Hutson, which was rejected on yesterday, was reconsidered, and

Ordered to lie upon the table indefinitely.

Mr. Bradford from the joint select committee appointed to confer with the directors of the Nashville Bank, and ascertain what arrangement could be made to secure the ultimate payment of the notes of said institution held by the state; also, those which may hereafter be received, made the following

Report:

The committee, under the authority of the resolution appointing them, had conference with the directors of the "Nashville Bank," and received and made certain propositions, which propositions, together with the minutes of said committee are herewith presented to the senate.

The committee further report, that they were unable to come to any definite conclusion upon the subject, and begs leave to submit three measures which were before them to the consideration of the general assembly, and asks that they be considered a part of the report.

T. F. BRADFORD, Ch'n.

The said report and accompanying documents were read at the clerks table, and

Ordered to lie upon the table until tomorrow, and that they be the order of the day for tomorrow.

And then the senate adjourned.

THURSDAY, NOVEMBER 30, 1826.

Mr. Anderson presented a petition of John Suttrell of Knox county, praying to be paid for a Gun pressed from him during the Creek war.

Mr. Anderson moved to refer said petition to the committee of propositions and grievances,

And the question thereon was taken,

And determined in the negative.

Ordered that said petition lie upon the table.

Mr. Johnson from the committee on enrolled bills Reported,

That they had examined and found truly enrolled,

An act for the benefit of Samuel Buchanan and John Sutton.

An act for the benefit of Early Benson and George Bowers.

An act to make legal certain proceedings and elections in the county of Dyer.

An act to alter the names of the persons therein named.

An act to repeal part of an act relative to the navigation of Red river, passed 1825, and for other purposes.

An act directing the register of the Western District to issue grants in certain cases.

An act to prohibit the clerks of the superior and inferior courts of law and equity of this state from becoming security to suits, determinable in the courts to which they act as clerks respectively.

An act directing certificates to issue in lieu of warrant No. 385.

An act to authorize the court of pleas and quarter sessions of Anderson county to build a house for the accommodation of the poor and for other purposes, and

An act for the relief of Polly B. Caperton of Franklin county.

The speaker signed said enrolled bills.

Ordered that the clerk transmit them to the house of representatives to receive the signature of their speaker.

The senate then took up and proceeded to the consideration of a resolution submitted by Mr. Brown, on yesterday, referring sundry grants to the commissioner.

Also, a resolution submitted by Mr. Walker for the benefit of Joseph Porter and Wm. Onstot,

Which resolutions were both again read and adopted.

Ordered that the clerk acquaint the house of representatives therewith and ask their concurrence therein.

The senate then took up and concurred in,

A resolution for the relief of Joseph Derham, and

A resolution for the relief of Jonathan Welch, which were received from the house of representatives on yesterday.

The senate then took up and proceeded to the consideration of a resolution received from the house of representatives on yesterday appointing justices of the peace for the counties of Knox, Sullivan, Henderson, Williamson and Carroll.

Mr. Anderson moved to lay so much of said resolution as appoints justices of the peace for Knox county on the table indefinitely.

Which was agreed to by the senate.

The balance of said resolution was then concurred in.

Ordered, that the clerk acquaint the house of representatives therewith.

Mr. Annis presented the resignation of Francis Rockhold a justice of the peace for Sullivan county,

Which was read and accepted.

Ordered that the clerk transmit the same to the house of representatives for their acceptance.

On motion of *Mr.* Hall,

A bill for the relief of Jacob Sitgraves and the heirs of Neil Watson, which was reconsidered and laid upon the table on yesterday,

Was taken up, read the first time and passed.

On motion of Mr. Hall,

The senate resolved itself into committee of the whole upon the report of the committee appointed to confer with the directors of the "Nashville Bank" and the documents accompanying said report, which had been made the order of this day, and after some time spent in the consideration thereof, the committee rose and the speaker resumed the chair,

When Mr. Hall reported,

That the committee had had said report and documents under consideration, and had adopted sundry resolutions upon the subject, and directed him to report them to the senate and recommend their adoption.

The said resolutions were then read at the clerks table as follows:

Whereas, the suspension of specie payments by the "Nashville Bank" is calculated to depreciate said paper in the hands of the good people of this state, and this general assembly, wishing to prevent as far as possible the good people of this state from suffering loss by the depreciation of said paper,

Therefore,

1st Resolved, that the notes of said Bank be received at par in the payment of the public revenue.

2d Resolved, that its notes be receivable in the payment of the several instalments now, or hereafter to become due from the purchasers of the Hiwassee and Academy lands; also, College lands if the trustees agree thereto.

3d Resolved, that its notes be receivable at the respective county agencies of the new Bank, in payment of any debts due to said institution; and also, for all interest and calls upon accommodation notes due the principal or branch Bank for the counties in which they are respectively situated.

4th Resolved, that it shall be the duty of the directors of the "Bank of the State of Tennessee" to require the paper of the "Nashville Bank" that may be received at its agencies to be remitted from time to time, (unless the same can be reloaned at the agencies to be repaid in like funds) to the principal Bank at Nashville, and that the said directors shall proceed to lend it out for the shortest and on the best terms practicable; also, such paper of said Nashville Bank as may now be on hand and may hereafter be received from the several sources authorized by the preceding resolutions to be paid in sound or par funds. And if at any time the directors of the Bank of the State shall find that they have a greater amount of said notes on hand than they can safely and advantageously loan out in the manner aforesaid, that they notify the "Nashville Bank" thereof, and require the payment of interest upon the same, until such time or times as they may be enabled to dispose

of the same, according to the former part of this resolution.

5th. Resolved, that so soon as the directors of the "Nashville Bank" shall deposit with the Treasurer of West Tennessee the sum of $500,000 of good solvent notes, as collateral security for the redemption of all the notes of the "Nashville Bank" that may be received in pursuance of the foregoing resolutions, and of the amount now on hand in the "Bank of the State of Tennessee," in six, twelve, eighteen and twenty four months, from the time of funding the respective amounts, and furthermore deposit in the said State Bank all the sound funds said "Nashville Bank" has now in possession, and stipulated for the payment of interest as provided for in the last resolution, and a compliance in all respects with the conditions expressed in this resolution, be certified by the proclamation of the Governor, the several officers charged with the collection of the public revenue, the Treasurers of East and West Tennessee and the directors of the "Bank of the State of Tennessee" and their agents in the several counties in this state shall act accordingly.

6th. Resolved, that the agents of the several counties in this state shall, at the next renewal of notes at their respective agencies, take them payable at six months instead of three months as heretofore, and shall only require the interest to be paid on said notes at said renewal.

Ordered that said report lie upon the table.

And then the senate adjourned.

FRIDAY, DECEMBER 1, 1826.

Mr. Johnson from the committee on enrolled bills, Reported

That they had examined and found truly enrolled,

An act to amend an act, entitled "An act to amend an act, entitled an act, supplemental to an act, to dispose of the lands lying between the rivers Hiwase

see and Tennessee and north of little Tennesssee river, passed Nov. 23d, 1825," and

An act to amend an act, entitled "An act requiring the clerks and trustees and other officers of the several counties to perform certain duties.

The speaker signed said enrolled bills.

Ordered that the clerk transmit them to the house of representatives to receive the signature of their speaker.

The senate took up and proceeded to the consideration of the report of the committee of the whole on the subject of the Nashville Bank paper, which was laid upon the table on yesterday.

The said report being again read was adopted.

On motion of Mr. Henderson, it was

Ordered that a committee be appointed to draft and report a bill to embrace the principles contained in the resolutions reported by the committe of the whole.

Mr. Brown and Mr. Johnson were appointed said committee.

A message from the house of representatives by Mr. Campbell their clerk.

Mr. Speaker;

They nonconcur in your resolution appointing justices of the peace for Greene county, and concur in your resolutions for the relief of Joseph Porter and Wm. Onstot, and for the referring sundry grants.

They have adopted the following resolutions, in which they ask your concurrence:

A resolution referring grants No. 8892 and 286.

A resolution referring grant No. 15680.

A resolution for the relief of Geo. Wilson.

A resolution to refer sundry grants for adjedication.

A resolutian for the issuance of a certificate for 4 acres of land.

A resolution referring grants No. 1956, 3121 and 18859.

Resolved by the general assembly of the state of Tennessee,

That Enoch Tucker, Samuel Blythe, Thomas Rees Wm S. Duncan, Robert Newton, Michael Taylor, Robert Bashear, Geo. Keetan and Philip Chronicster be, and they are hereby appointed justices of the peace for Lawrence county.

They insist upon your concurrence to appoint Robert Young and Robert Dobson justices of the peace for Hawkins county.

And then he withdrew.

According to a rule of the senate, said resolutions lie one day upon the table.

Mr. Johnson submitted the following resolution:

Resolved by the general assembly of the state of Tennessee,

That the Treasurers of this state be required, and it is hereby made their duty to collect all the money due on the uncurrent Bank notes in the treasury by suit or in any other way they may think best.

According to a rule of the senate, said resolution lies one day upon the table.

Mr. Smart submitted the following resolution:

Resolved by the general assembly of the state of Tennessee,

That the Treasurer of West Tennessee be requested to report forthwith to this general assembly the amount of Academy monies by him received, and the amount of interest, and what disposition he has made of the principal and interest; also, show by said report what amount, if any, has been received by the trustees of Academies in the several counties in this state.

On motion of Mr. Smartt,

The rule of the senate, requiring resolutions to lie one day upon the table was suspended, and said resolution adopted.

Ordered that the clerk acquaint the house of representatives therewith, and ask their concurrence therein.

A bill to incorporate a Medical Society in Tennessee, and

A bill to incorporate the town of *Memphis* in Shelby county, which had been laid upon the table, were taken up, read the first time and passed.

Received from the house of representatives,

A bill to authorize Reuben Ross to enter certain lands.

Which was read the first time and passed.

A bill to regulate the mode of taxing lots in the town of Milton, Rutherford county.

A bill to change the name and style of the Centerville domestic blues.

A bill for the benefit of Isaac Jones of Knox county.

A bill to authorize the drawing of a lottery for the benefit of Richard Jones jr.

A bill for the relief of Ambrose Powell.

A bill for the benefit of Marius Oury.

A bill to repeal the laws now in force and use in this state, respecting a change of venue.

A bill to make legitimate Eliza Guy.

A bill for the relief of Elijah Tilford and others.

A bill to provide for defraying the expense of removing the public property and records from Murfreesboro to Nashville.

A bill to encourage domestic manufactures.

A bill to enlarge the provisions of an act entitled an act to authorize the drawing of lotteries in the counties of Dickson and Montgomery, and

A bill to amend an act entitled an act supplemental to an act entitled an act to settle the claims of North Carolina, and for the benefit of the occupants of the western district passed at the last session of the general assembly,

Were severally read the second time and passed.

A bill to appoint additional trustees for east Tennessee college.

A bill for the benefit of Samuel *M*'Connel,

A bill for the relief of Racheal Houston and others.

A bill to incorporate the town of Somerville in the county of Fayette, and

A bill for the relief of Nancy W. Carver of Wilson county,

Were severally read the third time and passed.

A bill for the relief of Richard C. Harris.

A bill to amend an act entitled an act to fix permanently the seat of justice in Hardin county.

A bill to regulate the county courts of Maury and other counties.

A bill for the relief of Laban B. Williams.

A bill for the benefit of Ann Young.

A bill concerning the Winchester Light Infantry company and for other purposes, and

A bill to establish annual musters in the regiment of cavalry, attached to the 4th brigade,

Were severally read the third and last time, passed and

Ordered to be engrossed.

A bill to amend an act entitled an act requiring clerks, trustees and other officers in this state to perform certain duties passed 1825.

A bill concerning the registration of deeds.

A bill for the relief of John Sutton and Samuel Buchanan, and

A bill for the relief of Thomas Ely,

Were severally read the second time and rejected.

A bill to amend the laws now in force in relation to merchants and pedlars licence,

Was read the third and last time and rejected.

The senate took up on its second reading,

A bill to modify an act of 1817 to prohibit duelling.

Mr. Brown offered an amendment in lieu of the whole bill, which modified the oath contained in said act of 1817 so as to opperate upon all officers required to take it during their continuance in office only,

Which amendment was received by the senate.

The said bill as amended, was then read the second time.

And the question thereon was taken,

Shall the said bill pass?

And determined in the negative.

There being ayes 9, noes 10.

The ayes and noes being required,

Those who voted in the affirmative, are	Those who voted in the negative, are
Mr. Brown,	Mr. Speaker Foster,
*B*radford,	Amis,
Frey,	Anderson,
Hall,	Cleveland,
Johnson,	Gass,
M'Clanahan,	Henderson,
M'Means,	Hughes,
Simpson and	Nelson,
*W*alker—9	Preston, &
	Smartt—10

And so the said bill was rejected.

On motion of Mr. Walker,

The senate took up a resolution submitted by him on the 27th ult. to appoint a joint select committee to ascertain the expenses of this general assembly to include the 2d inst. and no longer.

Mr. *W*alker moved to amend said resolution by striking out the 2d instant and insert Wednesday the 6th inst.

And the question thereon was taken,

And determined in the affirmative,

There being ayes 16. noes 1.

The ayes and noes being required.

Those who voted in the affirmative are,	Those who voted in the negative, are
Mr. Speaker Foster,	Mr. Henderson,
Amis,	
Anderson,	
Cleveland,	
Frey,	

Gass,
Hall,
Hughes,
Johnson,
*Mc*Clanahan,
M'Means,
Nelson,
Preston
Simpson,
Smartt &
Walker—16.

And so the said amendment was made.

The said resolution as amended was then adopted.

Ordered, that the clerk acquaint the house of representatives therewith and ask their concurrence therein.

The senate took up on its third and last reading a bill for the relief of Joseph Calloway.

Mr. Henderson moved to amend said bill by striking out $270 and reinstating the original amount, $345 which had been stricken out by the house of representatives.

Which was agreed to by the senate.

Ordered, that the clerk acquaint the house of representatives therewith and ask their concurrence therein.

The senate also took up on its third and last reading,

A bill to entitle persons to receive pay who are summoned as garnashee.

Mr. Brown moved to amend said bill by reinstating the proviso, which had been stricken out by the house of representatives on its third reading.

Which was agreed to by the senate.

Ordered that the clerk acquaint the house of representatives therewith, and ask their concurrence therein.

Mr. Nelson withdrew for amendment, a bill to

provide more effectually for the distribution and publication of the laws of this state, and

Mr. Anderson

A bill to incorporate the Hiwassee Canal Company.

Mr. Brown from the committee appointed to draft and report,

A bill embracing the principles contained in the resolutions reported by the committee of the whole on the subject of the Nashville Bank paper,

Reported.

A bill to prevent the depreciation of the Nashville Bank paper in the hands of the good people of this state,

Which was read the first time and passed.

A bill to authorize the treasurer of west Tennessee to pay John Haywood and Robert L. Cobbs the sum of $500 each, and

A bill for the benefit of John H. Bills,

Were both read the third and last time passed and Ordered, to be engrossed.

And then the senate adjourned.

SATURDAY, DECEMBER 2, 1820.

The senate took up and proceeded to the consideration of a resolution submitted by Mr. Johnson directory to the treasurers of this state,

Which was again read and adopted.

The senate then took up and proceeded to the consideration of the following resolutions received from the house of representatives on yesterday:

A resolution to refer sundry grants for adjudication.

A resolution referring grants nos. 1956, 3121 and 10059.

A resolution for the relief of George Wilson.

A resolution referring grants no. 8892 and 286.

A resolution referring grant no. 15380.

A resolution for the issuance of a certificate for 4 acres of land, and

A resolution appointing justices of the peace for Lawrence county,

Which resolutions on being again severally read were concurred in.

Ordered, that the clerk acquaint the house of representatives therewith.

The senate then proceeded to the consideration of an insisting message from the house of representatives to appoint Robert Young and Robert Dobson justices of the peace for Hawkins county.

On motion of Mr. *Amis*,

The senate nonconcurred in said insisting message.

Ordered that the clerk acquaint the house of representatives therewith.

A bill to regulate the sitting of some of the circuit courts in the western district,

Which had been laid upon the table, was taken up read the first time and passed.

A message from the house of representatives by Mr. Campbell their clerk.

Mr. Speaker:

The house of representatives have received and accepted the resignation of Daniel A. Dunham Esq. a justice of the peace for Davidson county.

They have adopted the following resolution in which they ask your concurrence:

Resolved, by the general assembly of the state of Tennessee,

That James H. Pass, Benjamin M. Lane and Henry Burton, be, and they are hereby appointed justices of the peace for White county.

They concur in your proposed amendment to a bill to entitle persons to receive pay who are summoned as garnashee, and nonconcur in those to a bill for the relief of Joseph Calloway.

They adhere to their insisting message to appoint Robert Young and Robert Dobson justices of the

peace for Hawkins county, and again ask your concurrence therein.

And then he withdrew.

According to a rule of the senate the above resolution lies one day upon the table.

The resignation of Daniel A. Dunham Esq. a justice of the peace for Davidson county was read and accepted.

On motion of Mr. Amis,

The senate adherd to their nonconcurrence in the insisting message of the house of representatives to appoint Robert Young and Robert Dobson justices for Hawkins county.

Ordered that the clerk acquaint the house of representatives therewith,

Mr. Walker submitted the following resolution:

Resolved by the general assembly of the state of Tennessee,

That the following persons be, and they are hereby appointed justices of the peace for their respective counties to wit:

For Hickman county,

Till M'Caleb, Granville M. Johnson, Edward Stringer, Daniel Shouse, Wm. Donnelly, John C. Lewis and Hiram Campbell.

For Tipton county,

Thomas Durham and Thomas Thompson.

According to a rule of the senate said resolution lies one day upon the table.

Mr. Smartt submitted the following resolution:

Resolved by the general assembly of the state of Tennessee,

That the president or cashir of the bank o the state of Tennessee be roquired, forthwith to report to this general assembly the amount of money received for the use of common schools, the amount of interest received on said fund, and what amount has been loaned in the different county agencies in this state.

On motion of Mr. Smartt,

The rule of the senate requiring resolutions to lie one day upon the table was suspended and said resolution was then adopted.

Ordered, that the clerk acquaint the house of representatives therewith and ask their concurrence therein.

A bill to amend the practice in chancery suits.

A bill for the benefit of the citizens of Sulivan and Hawkins counties, and for other purposes.

A bill for the relief of the devisees of Walter Sims dec'd.

A bill to repeal an act entitled an act for the relief of owners of town lots in the town of Alexandria in the county of Smith.

A bill for the relief of Noah Parker.

A bill for the benefit of Samuel M'Camey.

A bill to authorize the drawing of a lottery to enable Jeremiah Dial and others to make salt in Bedford county.

A bill for the relief of the persons therein named.

A bill to authorize the raising of a Rifle company out of the 40th and 98th regiments of Tennessee Militia, and

A bill to incorporate Mount Cumberland Academy in the county of Fentress,

Were severally read the second time and passed.

A bill to enable persons to receive pay who are now prevented by Garnishee.

A bill for the relief of Joseph Calloway.

A bill for the relief of Charles Sikes,

Were severally read the third and last time and

Ordered, to be engrossed.

A bill to amend an act entitled an act to revise and amend the militia laws of this state passed 1825, and

A bill for the purpose of certain piece of land on which Mount Pleasant mill and saw horse stand is from taxation,

Were each read the third time and passed.

A bill for the relief of the solicitor of the 5th solicitorial district, and for other purposes.

Was read the third and last time,

Mr. M'Means moved to strike out the last section of said bill, which authorized judge Haywood to hold the chancery court at Franklin on the first Monday of this month agreeably to his adjournment of said court at its last term.

And the question thereon was taken,

And determined in the negative.

There being ayes 5, noes 11.

The ayes and noes being required.

Those who voted in the affirmative are,	Those who voted in the negative are,
Mr. Amis,	Mr. Speaker Foster,
Cleveland,	Anderson,
M'Means,	Bradford,
Preston, &	Frey,
Walker—5.	Gass,
	Hall,
	Hughes,
	Johnson,
	M'Clanahan,
	Nelson and
	Simpson—11.

And so the said section was not stricken out.

The said bill was then passed the third and last time, and

Ordered to be engrossed.

A bill to repeal part of a law passed 1817 and for other purposes,

Was read the second time,

This bill repeals so much of the act of 1817 as provides for the appointment of solicitors general and provides for the election, by the general assembly of a solicitor for each county in this state,

And the question thereon was taken,

Shall the said bill pass?

It was determined in the negative.

There being ayes 4, noes 12.

The ayes and noes being required.

Those who voted in the affirmative, are	Those who voted in the negative, are
Mr. Amis,	Mr. Speaker Foster,
Cleveland,	Anderson,
Henderson &	Frey,
Nelson—4.	Gass
	Hall,
	Hughes,
	Johnson,
	M'Clanahan,
	McMeans,
	Preston
	Smartt &
	Walker—12.

And the said bill was rejected.

Mr. Gass moved to reconsider and lay upon the table,

A bill to modify the act of 1817 to prohibit dueling, which had been rejected on yesterday.

And the question thereon was taken,

And determined in the negative,

There being ayes 8, noes 8.

The ayes and noes being required.

Those who voted in the affirmative, are	Those who voted in the negative, are
Mr. Bradford,	Mr. Speaker Foster,
Frey,	Amis,
Gass,	Anderson,
Hall,	Cleveland,
Johnson,	Henderson
M'Clanahan,	Hughes,
McMeans, and	Nelson, &
Walker—8.	Preston—8.

And so the said bill was not reconsidered for according to a rule of the senate where there is an equal division of the vote the motion is last.

Mr. Nelsen returned

A bill more effectually to provide for the publication and distribution of the acts of this state, with an amendment, which was received.

Ordered, that said bill lie upon the table indefinitely.

And then the senate adjourned.

MONDAY, DECEMBER 4, 1826.

Mr. Johnson from the committee on enrolled bills, Reported,

That they had examined and found to be truly enrolled.

An act for the benefit of John H. Bills.

An act for the relief of the solicitor of the 8th sofitorial district, and for other purposes.

An act to establish annual musters in the regiment of cavalry attached to the 4th brigade.

An act for the relief of Laban B. Williams of Sullivan county,

An act for the relief of Richard C. Harris.

An act for the relief of Charles Miles, assignee of Thomas Brown.

An act for the relief of Joseph Calloway.

An act concerning the Winchester Light Infantry company, and for other purposes.

An act to regulate the county court of Maury and other counties, and

An act for the benefit of Ann Young,

The speaker signed said enrolled bills.

Ordered, that the clerk transmit them to the house of representatives, to receive the signature of their speaker.

The senate took up a resolution submitted by Mr. Walker on Saturday last appointing justices of the peace for Hickman and Tipton counties.

Which was again read and concurred in.

Ordered that the clerk acquaint the house of representatives therewith, and ask their concurrence therein.

The senate then proceeded to the consideration of a resolution received from the house of represen-

tatives on Saturday appointing justices of the peace for White county.

Which was again read and concurred in,

Ordered that the clerk acquaint the house of representatives therewith.

Mr. Cleveland submitted the following resolution:

Resolved by the general assembly of the state of Tennessee.

That John Hill, be and he is hereby appointed a justice of the peace for Grainger county.

On motion of Mr. Cleveland,

The rule of the senate, requiring resolutions to lie one day upon the table was suspended and said resolution was then adopted.

Ordered that the clerk acquaint the house of representatives therewith, and ask their concurrence therein.

Mr. Simpson submitted the following preamble and resolution:

Whereas,

The people of the state of Tennessee, are sensible of the many valuable and important services, rendered, as well to this state, as the country generally by Major General William Carroll.

Therefore,

Resolved by the general assembly of the state of Tennessee,

That they are duly impressed with a sense of the fidelity, and zeal with which he has on all occasions exerted himself to defend the interest and to preserve the honor of his country in its greatest peril.

Resolved, that in the prosecution and termination of the creek war, and the battle of the 8th of January, the able and efficient aid rendered by him to the commanding general, on those ever memorable occasion, the e is every thing for approval, for which his country delights to reward him.

Resolved, that the secretary of state be, and he is hereby directed, at the expense of the state, to procure and deliver to Major General William Carroll,

a Sword with suitable engravings thereon as a testimonial of the high respect entertained by the state of Tennessee for his public services.

Mr. Bradford the following:

Resolved by the general assembly of the state of Tennessee,

That the proper officer issue to Portland I. Curb a grant on entry No. 546 in the 13th Surveyors district, 3d range, 2d section, founded on warrant No. 1407 for 200 acres issued by the commissioner of West Tennessee.

Also, that the proper officer issue to said Portland I. Curb a grant on entry 549 in the 13th Surveyors district, dated 9th day Sept. 1822, founded on warrant No. 1406, issued by the commissioner of *West* Tennessee on the 29th February, 1808.

Mr. Walker the following:

Resolved by the general assembly of the state of Tennessee,

That the Register of West Tennessee correct grant No. 23,223 for 10 acres which issued to James Reed instead of James Rudd; provided it shall appear to his satisfaction that there was an error in issuing said grant.

Mr. Foster the following:

Resolved by the general assembly of the state of Tennessee,

That Thomas I. Read be, and he is hereby appointed a justice of the peace for Davidson county.

Mr. Henderson the following:

Resolved by the general assembly of the state of Tennessee,

That no officer in this state, into whose hands any execution may come for the collection of costs in any suits that may have been determined in any court in this state, in favor of any reservee or assignee of any reservee for lands in the Hiwassee district, shall not be authorized to collect any such costs until the further will of this general assembly be made known.

A message from the house of representatives by Mr. Campbell their clerk.

Mr. Speaker:

The speaker of the house of representatives having signed an enrolled bill entitled

An act vesting particular powers in the county court of Monroe county,

I am directed to deliver the same to the senate to receive the signature of their speaker.

They have received and accepted the resignation of Wm. Dickson, surveyor for the county of Grainger.

They concur in your resolution directory to the president and cashier of the Bank of the State of Tennessee.

Also, in your resolutions appointing justices of the peace for the counties of Hickman and Tipton.

They concur in your resolution that the Treasurer of West Tennessee be requested to report to this general assembly the amount of Academy money by him received, the amount of interest received, and what disposition has been made of the principal and interest, with an amendment to strike out the word "requested" and insert required.

They have adopted the following resolutions, in which they ask your concurrence:

Resolved by the general assembly of the state of Tennessee,

That David Boice, Wilson L. Gower, Jordan Hyde, Willoughby Williams, Wm. E. Watkins, Jesse Shelton and Edward Harris of Davidson county; Wm. Arnett and John Rice of Marion county, and Francis Porterfield, Wm. F. Mason, Davis Smith, Stephen Hightower, Richard Fleming and Stephen Penn of Lincoln county be, and they are hereby appointed justices of the peace for their respective counties.

A resolution referring grants therein named.

A resolution referring Military warrants No. 4284 and 2988.

A resolution for the relief of Thomas Spraggins.

A resolution requiring the secretary of state to furnish captions and substance of public acts to the printers and directing 2400 copies thereof be printed.

And then he withdrew.

According to a rule of the senate, said resolutions lies one day upon the table.

The speaker signed the enrolled bill received from the house of representatives.

Ordered that the clerk deposit the same in the office of the secretary of state.

The resignation of Wm. Dickson, surveyor of Grainger county,

Was read and accepted.

A bill to authorize the Sheriffs of Hawkins and other counties to appoint additional deputies,

Was read the second time.

And the question thereon was taken,

Shall the said bill pass?

And determined in the negative.

There being ayes 4, noes 14.

The ayes and noes being required,

Those who voted in the affirmative are,	Those who voted in the negative are,
Mr. Amis	Mr. Speaker Foster,
Cleveland,	Anderson,
Gass, &	Brown,
Smartt—4.	Frey,
	Hall,
	Henderson,
	Hughes,
	Johnson,
	M'Clanahan,
	M'Means,
	Nelson,
	Preston,
	Simrson, and
	Walker—14.

And so the said bill was rejected.

The senate took up on its third and last reading,
"A bill to provide for the appointment of an Attorney General for the State of Tennessee for a limited period."

Mr. Henderson moved to strike out $1300 for the purpose of inserting $1500 as the sallary of said attorney general.

And the question thereon was taken,
And determined in the negative.
There being ayes 9, noes 10.
The ayes and noes being required,

Those who voted in the affirmative are,	Those who voted in the negative are,
Mr. Anderson,	Mr. Speaker Foster,
Brown,	Amis,
Frey,	Bradford,
Gass,	Cleveland,
Hall,	M'Means
Henderson,	Nelson,
Hughes,	Preston,
Johnson, &	Simpson,
M'Clanahan—9	Smartt &
	Walker—10.

And so the said motion was lost.
Ordered that said bill lie upon the table.

A bill to authorize Charles I. Love to open a Turnpike road,

Was read the second time.

Mr. Bradford moved to strike out 25 cents as the toll on loaded waggons and insert 12½ cents,

And the question thereon was taken,
And determined in the negative.
There being ayes 6, noes 13.
The ayes and noes being required.

Those who voted in the affirmative, are	Those who voted in the negative, are
Mr. Brown,	Mr. Speaker Foster,
Bradford,	Amis,
Cleveland,	Anderson,
Johnson,	Frey,

M'Clanahan, &
Smartt—6

Glass,
Hall,
Henderson,
Hughes,
M'Means,
Nelson,
Preston,
Simpson and
Walker—13

And so the said motion was lost.
The question was then taken,
Shall the said bill pass?
And determined in the affirmative.
There being ayes 13, noes 6.
The ayes and noes being required,

Those who voted in the affirmative are,

Mr. Speaker Foster,
Amis,
Anderson,
Frey,
Glass,
Hall,
Henderson,
M'Means,
Nelson,
Preston
Simpson,
Smarit &
Walker—13.

Those who voted in the negative, are

Mr. Brown,
Bradford,
Cleveland,
Hughes,
Johnson, &
McClanahan—6

And so the said bill passed.
Received from the house of representatives,
A bill to incorporate the town of Covington, and
A bill to amend the registration laws,
Which were both read the first time and passed.
A bill for the benefit of James Bradford, Sheriff of Jefferson county,
Was read the second time and passed.
A bill to authorize the laying off a town by the name of Shippensburg.

A bill revising and amending the laws prohiting the introduction of slaves into this state as articles of merchandize, and

A bill for the benefit of Jordan Harris,

Were severally read the third time and passed.

A bill to provide for defraying the expenses of removing the public property and records from Murfreesborough to Nashville.

A bill to authorize the drawing of a Lottery to build a Masonic Hall in the town of Knoxville, and

A bill to authorize the drawing of a Lottery for the benefit of Richard Jones, jun'r.

Were severally read the third and last time, passed and

Ordered, to be engrossed.

Received from the house of representatives

A bill for the relief of those persons who have entered land north and east of the congressional reservation line, and

A bill for the relief of the commissioners appointed by the county court of Madison county to examine the condition of the revenue and report thereon,

Were both read the first time and rejected.

Mr. Anderson returned

A bill to incorporate the Hiwassee Canal Company, with an amendment which was received.

Mr. Nelson also offered an amendment to said bill, which was received.

The said bill as amended was then read the third time and passed.

And then the senate adjourned.

TUESDAY, DECEMBER 5, 1826.

Mr Brown presented a petition of John Green, R. Dickson, Elliott Hickman, R. H. *McEwen* and C. M'Kinney, praying that the charter of the "Fayette Tennessee Bank" be so revived as to authorize them to close the concerns of said bank as nearly as possible. Also, asking the liberty to create a small

amount& emit paper thereon,& that the private property of stockholders to be bound for the redemption of the paper issued, and the profits arising therefrom to be applied to the redemption of the paper of the old bank now in circulation.

Ordered that the said petition be referred to the committee of propositions and grievances.

Mr. Johnson from the committee on enrolled bills, Reported,

That they had examined and found truly enrolled,

An act to provide for defraying the expenses of removing the public property and records from *Mur*freesborough to Nashville.

An act to authorize the Treasurer of West Tennossee to pay John Haywood and Robert L. Cobbs the sum of $500 each.

An act to authorize the drawing of a Lottery to build a Masonic Hall in the town of Knoxville.

An act to amend an act, entitled "An act to fix permanently the seat of justice in Hardin county," passed Dec. 5th, 1825.

An act to authorize the drawing of a Lottery for the benefit of Richard Jones, jun'r. of Robertson county, and

An act to entitle persons to receive pay who are summoned as garnishee.

The speaker signed said enrolled bills.

Ordered that the clerk transmit them to the house of representatives to receive the signature of their speaker.

The senate took up & proceeded to the consideration of a resolution submitted by Mr. Henderson on yesterday, suspending the collection of cost in suits, wherein Indian reservees or their assignees have made recoveries against purchasers at the Hiwassee land sales,

*W*hich was again read.

Mr. M'*M*eans moved to lay said resolution on the table indefinitely,

And the question thereon was taker.

And determined in the negative,
There being ayes 8, noes 10.
The ayes and noes being required.

Those who voted in the affirmative are,	Those who voted in the negative are,
Mr. Anderson,	Mr. Speaker Foster,
Brown,	Amis,
Frey,	Bradford,
Hughes,	Cleveland,
Johnson,	Gass,
M'Means	Henderson,
Smartt &	M'Clanahan,
Walker—8.	Nelson,
	Preston, &
	Simpson—10

And so the said motion was lost.
And the question thereon was taken,
Will the senate adopt said resolution?
And determined in the negative.
There being ayes 9, noes 9.
The ayes and noes being required,

Those who voted in the affirmative, are	Those who voted in the negative, are
Mr. Speaker Foster,	Mr. Anderson,
Amis,	Brown,
Bradford,	Frey,
Cleveland,	Hughes,
Gass,	Johnson,
Henderson	M'Clanahan,
Nelson,	McMeans,
Preston &	Smart &
Simpson—9,	Walker—9.

And so the said resolution was not adopted; for according to a rule of the senate where there is an equal division of the vote the question is lost.

The senate took up and proceeded to the consideration of the following resolutions submitted on yesterday:

By Mr. Bradford,
For the relief of P. I, Curle.

By Mr. Walker,

Directory to the Register of *West* Tennessee.

By Mr. Foster,

Appointing a justice of the peace for Davidson county, and

By *Mr.* Simpson,

To procure and have presented to Major General William Carroll a Sword with suitable engravings,

Which resolutions on being again severally read were adopted.

Ordered that the clerk acquaint the house of representatives therewith, and ask their concurrence therein.

The senate then took up and proceeded to the consideration of the following resolutions received from the house of representatives on yesterday:

A resolution appointing justices of the peace for the counties of Davidson, *Marion* and Lincoln.

A resolution referring grants therein named.

A resolution referring military warrants No. 4284 and 2988.

A resolution for the relief of Thomas Spraggins, and

A resolution requiring the secretary of state to furnish the captions and substance of the public acts to the printers and directing 2400 copies to be printed for the use of the members of the general assembly.

Which resolutions on being again severally read were concurred in.

Ordered, that the clerk acquaint the house of representatives therewith.

The speaker laid before the senate the following report of the "Treasurer of West Tennessee," which was read at the clerk's table as follows:

The Treasurer of West Tennessee, in obedience to a resolution of yesterday, begs leave to report

That he received from the Treasurer of East Tennessee, for principal of Academy money up to the present time, twelve thou-and, one hundred and ninety one dollars, 78–100.			$12,191 78¼
Purchased stock in Nashville Bank,	$7,350 00		
Loaned to Tho's. Watson,	1,350 00		
Deposited in the Bank of the State,	2,500 00		
Yet on hand of principal,	491 78¼	—12,191 78¼	
Received of the Treasurer of East Tennessee, for interest of Academy money,		7,230 28¾	
Interest on stock in Nashville Bank up to 1st January, 1826.		2,887 50	
		$10,117 78¾	
Paid to sundry county Academies, see journal of the house of representatives 1825, page 193,	$1,250 75		
Deposited in Bank of the State,	6,500 00		
Remaining in the Nashville Bank,	2,101 23		
In the hands of the treasurer,	265 80¾		
		$101,177 78¾	

The county of Rutherford formerly received five hundred dollars by special act of the general assembly not here charged.

THO'S. CRUTCHER,
Treasurer of West Tennesse.

E. E.

December 5th, 1826.

Ordered that the clerk transmit said report to the house of representatives.

Mr. Hall submitted the following resolution:

Resolved by the general assembly of the state of Tennessee,

That grant No. 583 which issued from N. Carolina to Dan'l. Trigg, be referred to the commissioner for adjudication, and that he issue a certificate as in other cases; Provided the interference does not exceed 50 acres, and that said grant was founded on a good and valid warrant, and that no other grant ever issued thereon.

On motion of *Mr.* Hall,

The rule of the senate requiring resolutions to lie one day upon the table was suspended, and said resolution adopted.

Ordered that the clerk acquaint the house of representatives therewith, and ask their concurrence therein.

Mr. Nelson submitted the following resolution:

Resolved, that a joint select committee be appointed to examine and report what private acts passed at the present session it is unnecessary to print in the pamphlet laws of this state by the public printers, and that such private acts be published by the captions only.

According to a rule of the senate, said resolution lies one day upon the table.

On motion of *Mr. Anderson*,

The senate took up a resolution from the house of representatives on the 29th ult. appointing a justice of the peace for Knox county,

Which was again read and concurred in.

Ordered, that the clerk acquaint the house of representatives therewith.

A message from the house of representatives by Mr. Campbell their clerk.

Mr. Speaker:

The speaker of the house of representatives having signed enrolled bills entitled

An act to incorporate the town of Somerville in the county of Fayette.

An act to amend an act to dispose of the lands lying between the rivers Hiwassee and Tennessee and

north of little Tennessee river, passed 15th Nov. 1819.

An act for the relief of Rachael Houston, and

An act to exempt a certain piece of land on which Mount Pleasant meeting house stands from taxation,

I am directed to deliver them to the senate to receive the signature of their speaker.

They have adopted a resolution referring Hutchisons and Donaldsons grants to the commissioner,

In which they ask your concurrence,

And then he withdrew.

According to a rule of the senate, said resolution lies one day upon the table.

The speaker signed the enrolled bills received from the house of representatives.

Ordered that the clerk deposit them in the office of the secretary of state.

Received from the house of representatives,

A bill for the relief of John Parks.

A bill to authorize Nathan Haggard and James M'Kinley to open a Turnpike road.

A bill for the benefit of Frederick A. Ross of Hawkins county, and

A bill to authorize the payment of certain expenses,

Which bills were severally read the first time and passed.

A bill for the benefit of Mark P. Duncan.

A bill to amend an act, entitled "An act to incorporate the inhabitants of the town of Nashville."

A bill to amend an act, entitled "An act to make it the duty of the registers of this state to correct errors committed in the issuance of certain grants.

A bill to alter the time of holding the Rutherford circuit court.

A bill to legalize the proceeding of Wm. Terryl, who was appointed justice of the peace for Obion county.

A bill to authorize clerks to issue commissions to take depositions.

A bill for the relief of Robert Gullett.

A bill to authorize James Street and Alexander Street to build a mill on Duck river.

A bill to authorize suits to be brought against several executors or administrators in certain cases.

A bill directing the disposal of Academy monies.

A bill for the relief of John Pritchett.

A bill to authorize the drawing of a Lottery in the county of Henderson.

A bill to amend the first section of an act to empower the county court of Bedford county to appoint commissioners to contract for the building of a bridge across Duck river.

A bill to authorize Moses Fisk to open a turnpike road, and

A bill to prescribe the duty of commissioners, hereafter to be appointed by the county courts south and west of the congressional reservation line in receiving and reporting a list of the taxable property therein named,

Were severally read the second time and passed.

A bill for the relief of Alice S. Wilson.

A bill for the relief of Jane Reynolds of Shelby county.

A bill authorizing the drawing of a lottery for the purpose of removing the obstructions in the cany fork.

A bill for the relief of John Keenan.

A bill to amend an act entitled an act to incorporate the inhabitants of the town of Knoxville in the county of Knox.

A bill to incorporate the Bolivar academy in the county of Hardeman, and

A bill to authorize the county court of Humphreys county to lay an additional tax to repair the court house and build a bridge across Cypress creek,

Were severally read the third time and passed.

A bill for the benefit of the citizens of Hawkins and Sulliven counties.

A bill for the relief of Jason Thompson.

A bill to authorize Wm. Forbean to continue raise or [illegible] his mill dam.

A bill for the benefit of Isaac Jones of Knox county.

A bill to authorize the county court of Gibson county to lay a tax and for other purposes.

A bill to provide for building a jail in Montgomery county.

A bill to amend the practice in chancery suits.

A bill to appoint a commissioner for the town of Newport and

A bill to authorize the drawing of a lottery to enable Jeremiah Dial and others to make salt in Bedford county,

Were severally read the third and last time passed and

Ordered, to be engrossed.

A bill regulating fees on land sold for taxes, and

A bill to restore Wm. Hewet to his former rights and privileges as a citizen of this state,

Were both read the second time and rejected.

Mr. Walker withdrew for amendment,

A bill to incorporate the town of Memphis in the county of Shelby, and

Mr. M'Means

A bill for the relief of Pollard Wisdom.

A bill regulating the duty of clerks and sheriffs of the different counties in relation to receiving and counting the votes for or against a convention at the next general election, and for other purposes.

Was read the third time.

Mr. Brown offered an amendatory section to said bill, which directed the officers holding the elections in August next, before opening the polls on each day to read publicly, the resolution adopted in joint committee at this session relative to a call of a convention, also, the vote on its adoption.

And the question thereon was taken:

Will the senate adopt said amendment,

And determined in the affirmative.

There being ayes 13, noes 6.

The ayes and noes being required,

Those who voted in the affirmative are,	Those who voted in the negative, are
Mr. Speaker Foster,	Mr. Amis,
Brown,	Anderson,
Bradford,	Cleveland,
Frey,	Henderson,
Gass,	Nelson, &
Hall,	Preston—6
Hughes,	
Johnson,	
*Mc*Clanahan	
M'*Means*,	
Simpson,	
Smartt &	
Walker—13.	

And so the said amendment was adopted.

The said bill as amended, was then passed the third time.

And then the senate adjourned.

WEDNESDAY, DECEMBER 6, 1826.

Mr. Cleveland from the committee of propositions and grievances made an unfavorable report on the petition of John Greer, R. Dickson, Eliot Heckiman, R. H. M'Ewin and C. M'Kinney concerning the Fayette Tennessee Bank.

The senate concurred in said report.

Mr. Bradford from the committee on internal improvements made the following report:

The committee have had under consideration the memorial of Gideon Morgan jun'r and John Walker sen'r. and beg leave to report.

That they believe it expedient and proper that a memorial be transmitted to the congress of the United States, praying them to ratify a contract said Morgan and others, entered into with the Cherokee nation of indians in 1817, referred to in his memori-

al accompanying this report, by which a certain tract of country lying within the limits of said nation was granted to said Morgan and others.

Provided, that said grantees will convey over to the state of Tennessee in trust for the use of common schools, in each county in this state, their interest in said grant, reserving to themselves, 640 acres in fee, and one third of the proceeds of the residue of said grant. The remainder to be sold and the proceeds to be vested in stock for the opening of a canal, connecting the Hiwassee and Coosa rivers, the profits of which to be appropriated to the use of common schools.

T. F. BRADFORD, Chairman.

The senate concurred in said report.

Ordered, that Mr. Brown, Mr. Bradford and Mr. Anderson be a committee to draft a memorial in conformity with said report and the memorial on which it is founded.

Mr. Johnson from the committee on enrolled bills, Reported,

That they had examined and found to be truly enrolled.

An act for the benefit of the citizens of Hawkins and Sullivan counties.

An act to authorize Wm. Forbean to continue raise or extend his mill dam.

An act for the benefit of Jason Thompson.

An act for the benefit of Isaac Jones of Knox county.

An act to authorize the county court of Gibson county to lay a tax and for other purposes.

An act to provide for building a jail in the county of Montgomery.

An act to appoint a commissioner for the town of Newport, and

An act to amend the practice in chancery suits.

The speaker of the senate signed said enrolled bills.

Ordered that the clerk transmit them to the house.

of representatives to receive the signature of their speaker.

The senate took up and proceeded to the consideration of a resolution referring Hutchisons and Donelson grants for adjudication, received from the house of representatives on yesterday,

Which was again read and concurred in.

Ordered, that the clerk acquaint the house of representatives therewith.

The senate then took up and proceeded to the consideration of a resolution submitted by Mr. Nelson on yesterday, to appoint a committee to ascertain what private acts passed at this session it is unnecessary to to print in the pamphlet laws,

And the question thereon was taken,

Will the senate adopt said resolution,

And determined in the negative.

There being ayes 7, noes 9.

The ayes and noes being required.

Those who voted in the affirmative are,	Those who voted in the negative are,
Mr. Anderson,	Mr. Cleveland,
Brown,	Hall,
Bradford,	Henderson,
Frey,	Hughes,
Johnson,	M'Clanahan,
Nelson and	M'Means,
Preston—7.	Simpson,
	Smartt &
	Walker—9.

And so the said resolution was not adopted.

A message from the house of representatives by Mr. Campbell their clerk.

Mr. Speaker;

The speaker of the house of representatives having signed an enrolled bill entitled,

An act to amend an act entitled an act to revise and amend the militia laws of this state.

I am directed to deliver it to the senate to receive the signature of their speaker.

They concur in your resolution, directing a sword to be procured & delivered to Maj. Gen. Wm. Carroll, for distinguished services rendered his country, also, your resolution for the relief of Portland J. Curle, also, in your resolution requiring the register to correct error in grant 23223; also in your resolution appointing Thomas J. Reed a justice of the peace for Davidson county, and they also, concur in your amendment to a bill to compel entry takers to pay over monies by them collected.

They have adopted the following resolutions in which they ask your concurrence.

A resolution referring certificate no. 6709 and grant no. 3124.

A resolution referring sundry grants for adjudication.

A resolution referring land claims.

A resolution appointing justices of the peace for Campbell, Fentress and Overton counties.

I am directed to deliver to the senate a memorial of the president and directors of the Nashville bank.

And then he withdrew.

According to a rule of the senate, said resolutions lie one day upon the table.

The speaker signed the enrolled bill received from the house of representatives.

Ordered, that the clerk deposit the same in the office of the secretary of state.

The memorial of the president and directors of the Nashville Bank was read at the clerks table, and

Ordered, to lie upon the table,

A bill appointing an attorney general for the state of Tennessee for a limited time,

Was read the third and last time.

Mr. Nelson moved to amend said bill by striking out "$1300" and insert $1000 as the salary of the attorney general.

And the question thereon was taken,

And determined in the negative,

There being ayes 3, noes 16.

The ayes and noes being required.

Those who voted in the affirmative are,

Mr. Cleveland,
Nelson, &
*W*alker—3.

Those who voted in the negative are,

Mr. Speaker Foster,
Amis
Anderson,
Brown,
Bradford,
Frey,
Gass,
Hall,
*H*enderson,
Hughes,
Johnson,
M'Clanahan,
M'Means,
Preston,
Simpson, and
Smartt—16.

And so said motion was lost.
And the question thereon was taken,
Shall the said bill pass?
And determined in the negative.
There being ayes 8, noes 11.
The ayes and noes being required.

Those who voted in the affirmative, are

Mr. Speaker Foster,
Amis,
*B*radford,
Gass,
Henderson,
Preston,
Simpson and
Smartt—8

Those who voted in the negative, are

Mr. Anderson,
Brown,
Cleveland,
Frey,
Hall,
Hughes,
Johnson,
M'Clanahan,
M'Means,
Nelson, &
*W*alker—11

And so the said bill was rejected.
Mr. Henderson submitted the following resolu-

tion:

Resolved, that a joint select committee be appointed to ascertain the expences of this general assembly to include Friday the 8th inst and no longer.

On motion of Mr. Henderson,

The rule of the senate requiring resolutions to lie one day upon the table was suspended.

The question was then taken,

Will the senate adopt said resolution?

And determined in the negative.

And so the said resolution was not adopted.

Mr. M'Means returned

A bill for the relief of Pollard Wisdom, with an amendment which was received.

The said bill as amended was then read the second time and passed.

Mr. Walker returned

A bill to incorporate the town of Memphis in the county of Shelby, with an amendment, which was received. And then read the second time & passed.

On motion of Mr. Bradford,

Ordered, that a bill to suspend the sale of the school lands and collect rents be the order of the day for to-morrow.

A bill to preserve the integrity of the capital stock of the bank of the state of Tennessee.

A bill to authorize a resurvey of Overton county, and

A bill for the relief of Charles M'Cormack of Anderson county,

Were severally read the second time and passed.

Mr. M'Means moved to reconsider a bill to preserve the integrity of the capital stock of the bank of the state of Tennessee, which passed its second reading this day.

And the question thereon was taken,

And determined in the affirmative.

There being ayes 12, noes 6.

The ayes and noes being required,

Those who voted in the affirmative are,	Those who voted in the negative, are
Mr. Speaker Foster,	Mr. Amis,
Anderson,	Cleveland,
Brown,	Henderson,
Frey,	Johnson,
Gass,	Preston &
Hall,	Smartt—6.
Hughes,	
McClanahan	
M'Means,	
Nelson,	
Simpson, &	
Walker—12.	

And so said bill was reconsidered.

Ordered, that said bill lie upon the table.

The speaker laid before the senate the report from the president of the bank of the state, which was read at the clerks table as follows to wit:

Bank of the State of Tennessee,
Nashville, 5th December 1826.

In obedience to a joint resolution of the general assembly of the state of Tennessee, directing that the president or cashier of the bank of the state of Tennessee, be required forthwith to report the amount of money received for use of common schools, and the amount of interest received on said fund, and what amount has been loaned in the different county agencies in this state. The president of the bank, begs leave to refer your honorable body to the inclosed exhibit marked *A*, embracing the information sought for by your resolution.

The president of the bank, would here suggest, that by a law of the last session of the legislature, the bank was required to distribute this fund, agreeably to the taxable inhabitants in each county, to accomplish which, he had called on, and obtained from the secretary of state a statement of taxable inhabitants as shown from the last census, and was engaged in making the distribution agreeably there-

co, when he received intelligence of the failure of the Nashville Bank, fearing that this failure might so embarrass the institution over which he has the honor to preside, as to make it necessary to call from the agencies 10 per cent at their next renewal, the president, with the advice of the directory, thought it most advisable to retain in possession the school fund which remains undistributed, under the hope, that by so doing they might sustain the credits of the bank without the diminishing the sum under discount at the agencies.

In addition to the amount of school fund shown by the enclosed exhibit, there is in bank, to the credit of the treasurer of west Tennessee, one third of the amount of money received on the sales of warrants in the western district, this sum the treasurer does not conceive himself justified in passing to the credit of common schools, without a law directing it to be done, there being some vagueness in the law of the last session on that subject.

Witnessing as we have, the difficulty of correctly managing this fund, the probable loss that will be sustained in the collection, and proper application of the interest arising thereon, may we not respectfully suggest to your honorable body, the propriety of distributing the money appropriated to the use of common schools in this institution, with instructions to pay the interest semi-annually to the school commissioners in each county, agreeably to the taxable inhabitants thereof.

By this arrangement, the fund would be less intricate in its management, and should no school commissioners be appointed, or the interest arising be too inconsiderable to answer any valuable purpose by immediate distribution, it would remain secure in the bank, while under the present law the greater part of the interest is in all probability lost by misuse on the part of the agent to the bank, or the

school commissioners, who have been authorized to receive the same from the agents.

All of which is respectfully submitted,

By your obedient servant,

JS. PHILIPS, President.

EXHIBIT (A)

Statement of monies received by the Bank of the State of Tennessee in East and West Tennessee, for and on account of common schools.

	Amount received.	Amount distributed.	Amount on hand.	Amount of int. rec'd.
In West Tennessee,	61,800 00	50 000	11,800 00	1,080 77
In East Tennessee,	37,033 90	30,326 50	6,757 40	1,181 83
Tax received in W. Tennessee on school lands,				153 93
do East do				51 99
	$98,384 50	$80,326 50	$18,058 00	$3 269 43

JOEL PARRISH, Cashier.

By C. COOPER, Clerk.

A bill to authorize Jesse Lincoln to open a Turnpike road, and

A bill for the relief of Patrick Megrec,

Were both read the third time and passed.

A bill to compel entry takers to pay over monies and for other purposes, and

A bill for the benefit of Sina Grubbs and others,

Were both read the third and last time, passed and

Ordered, to be engrossed.

On motion of Mr. Walker,

The senate resolved itself into a committee of the whole on the "bill to prevent the depreciation of the Nashville Bank notes in the hands of the good people of this state," and after some time spent in the consideration thereof, the committee rose and the speaker resumed the chair,

When Mr. Hall reported,

That the committee had had under consideration said bill, and adopted an amendment in lieu of the whole bill, and directed him to recommend its adoption to the senate.

The report of the committee was then read,

And the senate concurred in said report and adopted it as an amendment in lieu of the whole bill.

Mr. Hall moved to strike out the last section of the bill which required renewals at the new bank and agencies to be made semi-annually instead of quarterly as heretofore,

And the question thereon was taken,

And determined in the negative.

There being ayes 8, noes 11.

The ayes and noes being required.

Those who voted in the affirmative, are	Those who voted in the negative, are
Mr. Speaker Foster,	Mr. Anderson,
Amis,	Bradford,
Brown,	Cleveland,
Frey,	Gass
Hall,	Henderson,

Hughes,
Johnson &
Simpson—3.

M'Clanahan,
McMeans,
Nelson,
Preston
Smartt &
Walker—11.

And so the said section was not stricken out.

Mr. Bradford then moved to reinstate the original bill as introduced in the senate, and which had been stricken out in the house of representatives, which directs Nashville Bank paper to be received in payment of all revenues; in payment of the debts due for Hiwassee and Academy lands; for all calls and interest due at the respective county agencies: also, at the principal and branch bank in like manner on accommodation notes, and requires all the Nashville notes received at the agencies to be remitted to the principal bank, (provided they cannot be reloaned at the agencies, payable in like funds,) to be by the president and directors exchanged for sound par funds and returned to the agencies as soon as practicable; and if they cannot effect such change to present the notes to the Nashville Bank and take certificates payable at 6. 12, 18 and 24 months, bearing an interest of six per cent, and the payment thereof to be secured by a guarantee or a deposit with the Treasurer of West Tennessee of $500,000 of stock notes,

And the question thereon was taken,

And determined in the negative.

There being ayes 8, noes 11.

The ayes and noes being required,

Those who voted in the affirmative are	Those who voted in the negative are,
Mr. Bradford,	Mr. Speaker Foster,
Cleveland,	Amis,
Gass,	Anderson,
Henderson,	Brown,
Johnson,	Frey,
McClanahan,	Hall,

Preston and Smartt—8.

Hughes, McMeans, Nelson, Simpson and Walker—11.

And so the said motion was lost.

The said bill as amended was then passed the cond time.

And then the senate adjourned.

THURSDAY, DECEMBER 7, 1826.

Mr. Johnson from the committee on enrolled bills, Reported,

That they had examined and found to be truly enrolled,

An act to compel the entry takers to pay over monies and for other purposes.

An act to authorize the drawing of a Lottery to enable Jeremiah Dial, Wm. Knott, Farwick Frazier, Erasmus Ragsdale and Wm. Sample to make salt in the county of Bedford, and

An act for the relief of Sina Grubbs.

The speaker signed said enrolled bills.

Ordered, that the clerk transmit the same to the house of representatives, to receive the signature of their speaker.

The senate took up and proceeded to the consideration of the following resolutions received from the house of representatives on yesterday:

A resolution referring certificate warrant No. 6709 and grant No. 3124.

A resolution referring land claims. and

A resolution appointing justices of the peace for the counties of Campbell, Overton and Fentress,

Which resolutions, on being again read, were concurred in.

Ordered that the clerk acquaint the house of representatives therewith.

The senate then took up the "resolution referring

sundry grants for adjudication," received from the house of representatives on yesterday,

Which was again read,

And the question thereon was taken,

Will the senate concur in said resolution,

And determined in the negative.

There being ayes 9, noes 9.

The ayes and noes being required

Those who voted in the affirmative are,	Those who voted in the negative are,
Mr. Anderson,	Mr. Speaker Foster,
Brown,	Amis,
Frey,	Cleveland,
Gass,	Henderson,
Hall,	M'Clanahan,
Hughes,	M'Means,
Johnson,	Nelson,
Simpson, &	Preston &
Smartt—9	Walker—9.

And so the said resolution was not concurred in.

Ordered, that the clerk acquaint the house of representatives therewith

A bill for the relief of those citizens in the Hiwassee district who are sued by Indian reservees for their lands,

Was read the second time.

Mr. Cleveland moved to amend said bill by striking out the words "or may be" before the word "sued," so as to leave the provisions of said bill to apply to suits already commenced, and not to suits hereafter to be commenced,

And the question thereon was taken,

And determined in the affirmative.

There being ayes 14. noes 4.

The ayes and noes being required,

Those who voted in the affirmative, are	Those who voted in the negative, are
Mr. Speaker Foster,	Mr. Amis,
Anderson,	Henderson
Brown,	Preston, &

Cleveland, Smartt—4.
Frey,
Gass,
Hall,
Hughes,
Johnson,
M'Clanahan,
Mc Means,
Nelson,
Simpson &
Walker—14.

And so the said words were stricken out.

The said bill was then passed the second time.

A bill to repeal the law appointing two additional judges to the supreme court of errors and appeals.

Was read the second time,

And the question thereon was taken:

Shall the said bill pass?

And determined in the affirmative.

There being ayes 10, noes 9.

The ayes and noes being required,

Those who voted in the affirmative are,	Those who voted in the negative are,
Mr. Speaker Foster,	Mr. Brown,
Amis,	Frey,
Anderson,	Hall,
Bradford,	Henderson,
Cleveland,	Hughes,
Gass,	Johnson,
M'Clanahan,	M'Means
Nelson	Simpson &
Preston &	Walker—9.
Smart—10	

And so the said bill passed.

A message from the house of representatives by Mr. Campbell their clerk:

Mr. Speaker,

The house of representatives have adopted the following resolutions, in which they ask your concurrence:

Resolved by the general assembly of the state of Tennessee,

That the following persons be, and they are hereby appointed justices of the peace for their respective counties, to wit:

For Rhea county,

Joseph M'Corkle, Beal Father, Josiah Fike, Isaac Roddy, Daniel M. Stockholder, Matthew Hubbart, Jonathan Collins, Ezekiel Bates, Robert Cooley, Andrew Kincannon and Thomas Price.

For McMinn county,

John K. Farmer, James S. Bridges, James Senter, Standwix Hardie, Gabriel Cantrell, John Hill and Jonathan Evans.

For Harden county,

James Thompson, Isham Cherry, Jeremiah Jones and Anthony Wayne Pope Russell.

For Fayette county,

Samuel M'David.

A resolution referring the grants therein named.

A resolution referring sundry grants for adjudication.

A resolution referring land claims for adjudication.

A resolution for the relief of David McEntire.

They insist upon your concurrence in their resolution of yesterday, "referring sundry grants for adjudication."

They concur in your resolution referring grant No. 583 for adjudication,

And then he withdrew.

According to a rule of the senate, said resolutions lies one day upon the table.

Mr. Bradford submitted the following resolution:

Resolved by the general assembly of the state of Tennessee,

That the commissioner for the adjudication of land claims be authorized to issue a warrant or so much of grant No. 3695 for 1066 acres as may be situated within the state of Alabama, to the rightful

owner on his producing evidence of the fact.

Mr. Brown the following:

Resolved. That all acts of the present session for drawing Lotteries and authorizing persons to hawk and peddle, shall be published and distributed by their captions, and that the secretary of state shall on application deliver certified copies of such acts to the persons interested.

Mr. Simpson the following:

Resolved by the general assembly of the state of Tennessee,

That the "Register of West Tennessee" issue to the rightful owners certificates for the balances of land warrants No's. 6, 790, 350, 127, 2948, 866, 4338, 1679, 232, 2337, 2264 and 2733, under the same rules and regulations heretofore pointed out by law, and the same when issued shall be adjudicated as in other cases, and may be located south and west of the congressional reservation line.

Also, the following:

Resolved by the general assembly of the state of Tennessee,

That the "Register of West Tennessee" issue to the rightful owners certificates for parts of warrants No's. 1391, 1276 and 2948; provided it shall appear that said remnants of warrants did not stand located on the 21st day of November, 1823, and when issued shall be adjudicated as in other cases, and may be located south and west of the congressional reservation line.

According to a rule of the senate, said resolutions lie one day upon the table.

The senate took up "A bill to suspend the sale of the school lands and collect rents," which had been made the order of to-day.

Several amendments were offered to said bill and received.

The said bill as amended was then read the second time and passed.

A bill to authorize the drawing of a Lottery to build a bridge across Cypress creek.

A bill for the relief of Jesse Williams.

A bill to amend an act, entitled "An act to authorize John Brabson of Sevier county to build a mill dam across a south sluice of Holston river." passed 23d August, 1820, chapter 207.

A bill for the relief of the Nashville Bridge Company.

A bill to revive an act, entitled "An act for the relief of Valentine and Charles Sevier.

A bill for the relief of Dempsy Odom.

A bill to incorporate the town of Covington.

A bill concerning a well to be dug in the town of Lawrenceburg.

A bill to repeal an act, entitled "An act to extend the town of Gallatin." passed Nov. 16th, 1821.

A bill for the relief of John Park,

A bill to repeal an act, entitled "An act for the relief of certain purchasers of land in the Hiwassee district and for other purposes.

A bill to authorize Michael Read and Franklin Whitaker to build a mill, &c. on Cub creek.

A bill to alter the time of holding the courts therein named.

A bill to establish an Academy in the town of Covington, Tipton county.

A bill to incorporate a Medical society in the state of Tennessee.

A bill to authorize Nathan Haggard and James McKinley to open a Turnpike road.

A bill for the benefit of N. Crockett.

A bill to make lawful, grants and entries to land within 5 miles of the falls of Caney fork.

A bill for the relief of Philip Maury.

A bill to authorize Matthew W. Wright to build a bridge.

A bill for the relief of A. N. Montgomery.

A bill for the benefit of the corporations of Blountsville and Kingsport.

A bill for the benefit of John P. Dix.

A bill to authorize the creation of a volunteer company of artillery in the town of Paris, and

A bill to establish the line between the counties of White and Bledsoe.

Were severally read the second time and passed.

A bill to encourage Domestic Manufactures.

A bill to authorize Jesse Savage to open a Turnpike road.

A bill for the relief of the "Murfreesborough Sentinels and others."

A bill for the relief of the person therein named.

A bill to incorporate the town of Memphis in the county of Shelby.

A bill for the relief of William Phillips and others.

A bill authorizing suits to be brought against several executors and administrators in certain cases, and

A bill for the relief of Wilson Cage,

Were severally read the third time and passed.

A bill to apply the navigation tax in the counties of Weakley and Obion to cutting and bridging roads and for other purposes.

A bill for the relief of Pollard Wisdom and others.

A bill for the relief of the devisees of Walter Simms, dec'd.

A bill to legalize the acts of Jno. Bricker, deputy sheriff of Washington county.

A bill to repeal an act, entitled "An act for the relief of owners of lots in the town of Alexandria in the county of Smith.

A bill to authorize the drawing of a Lottery in the county of Henderson.

A bill for the relief of Marius Oury.

A bill for the relief of John Pritchard and for other purposes.

A bill for the benefit of Samuel McCamey.

A bill to authorize certain deeds of conveyance to be registered, and

A bill to alter the time of holding the chancery court in Greenville,

Were severally read the third and last time passed and

Ordered, to be engrossed.

A bill to amend an act to establish offices for receiving entries for the vacant land in the several counties in this state lying north and east of the congressional reservation line.

A bill prescribing the duty of justices of the peace and clerks.

A bill for the benefit of Frederick A. Ross of Hickman county.

A bill for the relief of Micajah L. Armstrong and Samuel Turney, and

A bill to authorize George and Stephen Read to retail certain articles without paying a tax therefor,

Were severally read the second time and rejected.

A bill to amend an act entitled "An act to revise and amend the militia law of this state," passed 1825,

Was read the third time.

And the question thereon was taken:

Shall the said bill pass?

And determined in the negative,

There being ayes 4, noes 14.

The ayes and noes being required.

Those who voted in the affirmative are,	Those who voted in the negative are,
Mr. Hall,	Mr. Speaker Foster,
Henderson,	Amis,
Preston and	Anderson,
Smartt—4.	Brown,
	Cleveland,
	Frey,
	Gass,
	Hughes,
	Johnson,
	McClanahan,
	McMeans,

Nelson,
Simpson and
Walker—14.

And so the said bill was rejected.

And then the senate adjourned.

FRIDAY, DECEMBER 8, 1826.

Mr. Frey presented a petition of Joseph B. Porter praying that the commissioner be directed to issue him certificate in lieu of certain grants, which cannot be identified.

Ordered that the said petition be referred to the committee on land claims.

Mr Johnson from the committee on enrolled bills, Reported,

That they had examined and found truly enrolled,

An act to legalize the acts of John Bricker, deputy sheriff of Washington county.

An act for the benefit of Samuel McCamey.

An act for the relief of Marius Oury.

An act authorizing a certain deed of conveyance being registered.

An act for the relief of John Pritchett and for other purposes.

An act for the relief of the devisees of Walter Simms dec'd.

An act to repeal an act, entitled "An act for the relief of the owners of lots in the town of Alexandria in the county of Smith.

An act to alter the time of holding the chancery court in Greenville.

An act for the relief of Pollard Wisdom and others.

The speaker signed said enrolled bills.

Ordered that the clerk transmit them to the house of representatives to receive the signature of their speaker.

The senate took up and proceeded to the consideration of the following resolutions received from the house of representatives on yesterday:

A resolution for the relief of Daniel McEntire.

A resolution referring land claims for adjudication.

A resolution referring the grants therein named.

A resolution appointing justices of the peace for Madison, Shelby, Fayette and Harden counties.

Also, a message insisting on the concurrence of the senate in a resolution referring sundry grants for adjudication.

Which resolutions and message on being again severally read were concurred in.

Ordered, that the clerk acquaint the house of representatives therewith.

The senate then took up and proceeded to the consideration of the following resolutions submitted on yesterday:

By Mr. Bradford,

Referring grant No. 3695.

By Mr. Simpson.

Directory to the Register of West Tennessee, and

Also, directing the Register of W. T. to issue certificates therein mentioned.

Which resolutions on being again severally read were adopted.

Ordered that the clerk acquaint the house of representatives therewith, and ask their concurrence therein.

In which resolutions the house of representatives concurred and acquainted the senate therewith by message.

Ordered that a resolution submitted by Mr. Brown on yesterday relative to promoting certain private acts lie upon the table indefinitely.

On motion of Mr. Anderson.

A bill for the relief of Fred. A. Ross of Hawkins county, which was rejected on yesterday,

Was reconsidered read second time and passed.

A message from the house of representatives by Mr. Campbell their clerk.

Mr. Speaker:

The speaker of the house of house of represen-

tatives having signed enrolled bills entitled

An act to authorize a drawing of a lottery for the purpose of removing the obstruction in the caney fork and for other purposes.

An act for the benefit of Samuel M'Connell.

An act to authorize Jesse Lincoln to open a turnpike road.

An act to authorize the county court of Humphreys to lay an additional tax to repair the court house of said county and to build a bridge over Cypress creek.

An act for the relief of James N. Smith and Reuben Smith.

An act to revise and amend the laws prohibiting the introduction of slaves into this state as articles of merchandize.

An act to legalize the acts of the justices of the peace therein named.

An act for the relief of Nancy W. Carver of Wilson county.

An act for the relief of Jordan Harris and others.

An act to appoint additional trustees to east Tennessee college.

An act to authorize the laying off a town by the name of Shippensburg, and

An act for the relief of John Keenan.

I am directed to deliver them to the senate to receive the signature of their speaker.

They have adopted the following resolutions in which they ask your concurrence:

Resolved by the general assembly of the state of Tennessee,

That the following persons, be, and they are hereby appointed justices of the peace for their respective counties.

For the county of Jackson,

Wm. C. Hampton.

For the county of Grainger,

John Chisney, William Haynes, Owen Dyer,

John Larnagin jun'r. Stephen Hawkins and Eli Clark.

For the county of Roane,

Wm. L. Brown, Alexander Dugger, Isaac Ebler, and Benjamin Longacre jun'r.

For the county of *Morgan*,

Samuel Scott.

Resolved, that the senate, meet the house of representatives in their hall on Saturday the 9th inst. for the purpose of electing a surveyor for Grainger county.

They concur in your resolution to appoint a joint select committee to ascertain the expences of this session, but nonconcur as to the day to be included, and propose that monday next be the day for adjournment.

They have adopted a resolution referring grants no. 297 and 2125 for adjudication.

And then he withdrew.

The speaker signed the enrolled bills received from the house of representatives.

Ordered, that the clerk deposit them in the office of the secretary of state.

The rule of the senate requiring resolutions to lie one day on the table was dispensed with.

Mr. Cleveland moved to nonconcur in the appointment of Eli Clark a justice of the peace for Grainger county.

Which was agreed to by the senate.

The senate concurred in the balance of the resolutions mentioned in the message from the house of representatives.

Ordered, that the clerk acquaint the house of representatives therewith.

On motion of *Mr.* Cleveland,

Ordered, that the clerk do by message insist upon the concurrence of the house of representative in the appointment of John Hill a justice of the peace for Grainger county.

Mr. M'Clanahan submitted the following resolution:

Resolved, that the senate meet the house of representatives in their hall on to morrow at 12 o'clock for the purpose of electing an entry taker for Rutherford county.

Mr. Brown the following:

Resolved, that the thanks of this general assembly are hereby presented to the owners of the masonic hall in the town of Nashville for the use of the rooms in said hall, in which their session have been holden, and

Mr. Frey the following:

Resolved, that Cornelius Slater and James M'Dowell, doorkeepers, be appointed jointly to take care of the public property; belonging to the two houses of the general assembly until the next session.

The said resolutions were severally read and adopted.

Ordered that the clerk acquaint the house of representatives therewith, and ask their concurrence therein.

A bill for the relief of Abram P. Maury and John Fitzgerald.

A bill for the relief of the heirs of John Weems.

A bill to authorize George Sharp and others to build a fish trap in Powells river.

A bill to amend an act entitled an act to provide for running the lines between the counties of Jackson and Overton passed Dec. 3d 1825.

A bill to establish the town of Russellville in the county of Jefferson.

A bill to repeal part of an act authorizing Reuben Ross to build a bridge across caney fork.

A bill supplemental to an act entitled an act authorizing Charles Gamble, Crispen E. Shelton and John Wit to open a turnpike road.

A bill to authorize the payment of certain expences.

A bill to amend the registration laws

A bill directory to the judge holding the circuit court for the county of Greene.

A bill for the relief of Robert L. Cobbs and others.

A bill regulating the sitting of some of the courts in the western district.

A bill making an appropriation of money to defray the expences of the second session of the general assembly.

A bill concerning the public hiways in Tipton county.

A bill to authorize John Brown and Robert Bunk to open a turnpike road.

A bill to authorize Reuben Ross to enter certain lands.

A bill to diminish cost in suits, and

A bill for the benefit of Thomas M'Bath.

Were severally read the second time and passed.

A bill to authorize the county court of Overton to lay a tax for a certain purpose.

A bill for the relief of securities in certain cases.

A bill for the relief of Robert Craig.

A bill to prevent nuisances in the water courses of this state.

A bill for the relief of C. F. M. Goodream.

A bill for the relief of Andrew Taylor late sheriff of Carter county.

A bill to authorize Matthew English to establish a turnpike road.

A bill for the relief of Banks M. Burrow.

A bill giving further time to make surveys and obtain grants on entries north and east of the congressional line.

A bill to authorize the drawing of a lottery to build a bridge across cypress creek in Humphreys county.

A bill for the benefit of common schools.

A bill for the relief of Wm. Gann of Perry county.

A bill to amend an act entitled an act to improve the navigation of Wolf river in the Western District, and

A bill for the relief of Richard Belcher,

Were severally read the third time and passed.

A bill to amend an act entitled an act to incorporate the town of Nashville.

A bill to establish a third battallion in the 9th regiment T. M.

A bill for the benefit of Jacob Sitgraves and the heirs of Neil Hutson.

A bill for the benefit of Elizabeth Hammond.

A bill to legitimate Eliza Guy.

A bill to authorize James and Alexander Street to build a mill on Duck river in Bedford county.

A bill for the benefit of James Bradford sheriff of Jefferson county.

A bill to authorize Willie Ledbetter to haw and peddle without licence.

A bill to amend an act entitled an act to make it the duty of the register in this state to correct errors committed in the issuance of certain grants.

A bill for the benefit of Francis Moore.

A bill to authorize Moses Fisk to open a turnpike road.

A bill to enlarge the provisions of an act entitled an act to authorize the drawing of lotteries in the counties of Dickson and Montgomery.

A bill for the relief of Charles M'Cormack of Anderson county.

A bill for the benefit of Elijah Tilford and others.

A bill to change the name and title of the Centreville Domestic Blues.

A bill to revive an act entitled an act for the benefit of Volentine and Charles Sevier.

A bill for the benefit of Noah Parker.

A bill for the relief of Robert Gullett.

A bill to authorize clerks to issue commissions to take depositions.

A bill for the benefit of Mark P. Duncan, and

A bill regulating the mode of taxing the owners of lots in the town of Milton Rutherford county,

Were severally read the third and last time passed and

Ordered, to be engrossed.

A bill to incorporate the subscribers to the Nashville insurance company in the state of Tennessee.

Was read the third and last time,

The question was then taken,

Shall the said bill pass?

And determined in the affirmative.

There being ayes 18, noes 5.

The ayes and noes being required.

Those who voted in the affirmative, are	Those who voted in the negative, are
Mr. Speaker Foster,	Mr. Cleveland,
Amis,	Johnson,
Anderson,	M'Clanahan,
Brown,	Nelson and
Frey,	Preston—5.
Gass,	
Hall,	
Henderson,	
Hughes,	
M'Means,	
Simpson,	
Smartt and	
Walker—18.	

And so the said bill passed and was

Ordered, to be engrossed.

The senate took up

A bill to preserve the integrity of the capital stock of the bank of the state of Tennessee.

Mr Brown offered an amendment in lieu of the whole bill, which was received, and the caption was amended to read,

A bill to appoint council and an agent to attend to all suits brought by indian reservees or their assignees, against purchasers at the Hiwassee land sales.

The said bill as amended was then read the third time and passed.

A bill for the relief of John Montgomery of the county of Blount.

A bill to establish separate elections in the county of Greene.

A bill to amend an act entitled an act to compel sheriffs, coronors and constables to pay over moneis by them collected to the persons authorized to receive the same.

A bill for the relief of Robert Officer and Thomas H. Franchier.

A bill for the benefit of James Walker jun'r.

A bill for the relief of C. Brooks,

A bill to amend the 1st section of an act to empower the county court of Bedford to appoint commissioners, to contract for and superintend the building of a bridge across Duck river.

A bill to authorize judges to grant certioraris and supersedeas to remove the proceeding from before justices of the peace to the circuit courts, and

A bill for the due extention to execution creditors.

Were severally read the second time and rejected.

A bill to prevent any person in this state from removing a civil action from any county to another without giving security for cost, and

A bill requiring security to be given in suits by motion,

Were both read the second time and passed.

And then the senate adjourned.

SATURDAY, DECEMBER 9, 1826.

Mr. Frey from the committee on land claims, to whom was referred a petition of Joseph B. Porter and others praying the issuance of certificate for grants that cannot be identified,

Reported,

That the prayer contained therein is unreasonable.

The senate concured in said report.

Mr. Johnson from the committee on enrolled bills, Reported,

That they had examined and found to be truly enrolled.

An act to apply the navigation tax of the counties of Weakley and Obion to cutting and bridging roads and for other purposes.

An act for the relief of Elizabeth Hammond.

An act for the benefit of Jacob Sitgraves and the heirs of Neal Hutson.

An act to authorize Elijah Tilford and others to hawk and peddle without licence.

An act for the relief of Charles M'Cormack of Anderson county.

An act to enlarge the provisions of an act entited an act to authorize the drawing of lotteries in the counties of Dickson and Montgomery passed November 24th 1825.

An act to authorize Moses Fisk to open a turnpike road.

An act to change the name and stile of the Centreville domestic blues.

An act to regulate the mode of taxing lots in the town of Milton, Rutherford county.

An act for the relief of Robert Gullet.

An act to legitimate Eliza Guy.

An act for the relief of Noah Parker, and

An act authorizing clerks to issue commissions to take depositions.

The speaker signed siad enrolled bills.

Ordered that the clerk transmit them to the house of representatives to receive the signature of their speaker.

A bill for the relief of the securities of the entry taker of Stewart county.

Was read the third and last time,

And the question thereon was taken,

Shall the said bill pass?
And determined in the negative.
There being ayes 1, noes 16.
The ayes and noes being required.

Those who voted in the affirmative are,	Those who voted in the negative are,
Mr. M'Minns, 1	Mr. Speaker Foster,
	Amis
	Anderson,
	Bradford,
	Cleveland,
	Frey,
	Gass,
	Hall,
	Henderson,
	Hughes,
	Johnson,
	M'Clanahan,
	Nelson,
	Preston,
	Smartt &
	Walker—16.

And so the said bill was rejected.

A message from the house of representatives by Mr. Campbell their clerk.

Mr. Speaker;

The house of representatives nonconcur in your insisting message to appoint John Hill a justice of the peace for Grainger county.

They concur in your resolution directing the books of this general assembly to be presented to the trustees of the masonic hall.

Also, in your resolution to elect an entry taker for the county of Rutherford this day.

And, also, in your resolution respecting the keeping of the public property during the recess of the general assembly, so far as relates to the appointment of James M'Dowell having charge of the same, but nonconcur in the appointment of Cornelius Slater for that purpose.

They insist on your concurrence in the appointment of Eli Clark a justice of the peace for Grainger county.

And then he withdrew.

The senate concurred in the insisting message of the house of representatives to appoint Eli Clark a justices of the peace for Grainger county.

Ordered, that the clerk acquaint the house of representatives therewith.

A bill to repeal part of the act of 1824 adding two additional judges to the supreme court of errors and appeals.

Was read the third time,

And the question thereon was taken,

Shall the said bill pass?

And determined in the negative.

There being ayes 10, noes 10.

The ayes and noes being required.

Those who voted in the affirmative, are	Those who voted in the negative, are
Mr. Annis,	Mr. Speaker Foster,
Anderson,	Brown,
Bradford,	Frey,
Cleveland,	Gass
Henderson,	Hall,
M'Clanahan,	Hughes,
Nelson,	Johnson,
Preston	McMeans,
Smartt &	Reynolds &
Walker—10.	Simpson—10.

And so the said bill was rejected, for according to a rule of the senate where there is an equal division of the vote the question is lost.

Mr. M'Means submitted the following resolution:

Resolved, that the senate meet the house of representatives in their chamber this day at 12 o'clock for the purpose of electing a fifth judge of the supreme court of errors and appeals,

And the question thereon was taken,

Will the senate adopt said resolution.

And determined in the affirmative.

There being ayes 15, noes 5.

The ayes and noes being required.

Those who voted in the affirmative, are	Those who voted in the negative, are
Mr. Speaker Foster,	Mr. Bradford,
Amis,	Cleveland,
Anderson,	Henderson
Brown,	Preston, &
Frey,	Walker—5.
Gass,	
Hall,	
Hughes,	
Johnson,	
M'Clanahan,	
Mc Means,	
Nelson,	
Reynolds,	
Simpson &	
Smartt—15.	

And so the said resolution was adopted.

Ordered that the clerk acquaint the house of representatives therewith, and ask their concurrence therein.

Mr. Bradford submitted the following resolution:

Resolved, by the senate of the state of Tennesssee, that Cornelius Slater door keeper of the senate, be instructed to take the necessary care of the chairs, tables and of the furnature of the senate, until the next session of the general assembly.

The said resolution was read and adopted.

A message from the house of representatives by Mr. Campbell their clerk.

Mr. Speaker:

The house of representatives have adopted a resolution for the relief of Wm. Clark, and a resolution appointing Wm. L. Taylor a justice of the peace for the county of M'Minn, in which they ask your concurrence.

I am also directed to deliver to the senate the re-

port of the committee on the apportionment of the acts and journals of this session of the general assembly.

And then he withdrew.

The senate concurred in the resolutions mentioned in the message of the house of representatives.

Ordered that the clerk acquaint the house of representatives therewith.

The report of the committee on the apportionment of the Acts and Journals, was read at the clerk's table, distributing the acts and journals amongst the several counties in this state, as follows:

No.	Counties.	Acts.	Jour.	No.	Counties.	Acts.	Jour.
1	Anderson	30	15	32	Lincoln	67	30
2	Bedford	84	35	33	Monroe	48	24
3	Blount	50	25	34	McMinn	60	25
4	Bledsoe	34	17	35	Morgan	29	14
5	Carter	34	17	36	Marion	37	18
6	Claiborne	38	18	37	Montgomery	47	22
7	Campbell	32	16	38	Maury	84	35
8	Cocke	32	16	39	Madison	54	25
9	Carroll	44	22	40	McNairy	32	16
10	Davidson	72	30	41	Obion	30	15
11	Dickson	38	19	42	Overton	29	15
12	Dyer	30	15	43	Perry	38	16
13	Franklin	51	25	44	Roane	51	25
14	Fentress	22	10	45	Rhea	45	20
15	Grainger	46	20	46	Rutherford	73	30
16	Greene	49	20	47	Robertson	50	25
17	Giles	65	32	48	Sevier	41	20
18	Gibson	30	15	49	Sullivan	41	20
19	Hawkins	55	25	50	Sumner	70	30
20	Humphreys	40	20	51	Stewart	35	17
21	Hamilton	27	13	52	Shelby	30	15
22	Hickman	52	25	53	Smith	75	32
23	Henry	42	21	54	Tipton	30	15
24	Hardin	32	16	55	Warren	59	26
25	Henderson	32	16	56	White	53	28
26	Haywood	32	16	57	Williamson	63	30
27	Hardeman	35	17	58	Wayne	37	18
28	Jackson	51	25	59	Wilson	65	30
29	Jefferson	51	25	60	Washington	45	22
30	Knox	54	26	61	Weakley	37	18
31	Lawrence	50	25	62	Fayette	22	10
						2711	1320

For each clerk of the general assembly 1 copy.	4	4
To be deposited in the office of the secretary of state to exchange with other states, &c.	50	
Also, for the use of the general assembly	50	25
	2846	1349

JULIAN FRAZIER, Ch'm.

The senate concurred in said report.

Mr. Walker, from the committee to ascertain the expenses of this session of the general assembly, made the following report of the per diem pay and mileage of the members and officers of the senate:

	Names.	Miles.	Days.	Dollars.	Cents.
1	Robert C. Foster, (Speaker)		57	28	00
2	James Amis, (member)	560	57	317	60
3	James Anderson	414	57	294	24
4	Aaron V. Brown	150	57	252	00
5	Theodrick F. Bradford	90	57	242	40
6	Martin Cleveland	400	57	301	60
7	Henry Frey	46	57	235	36
8	John Gass	560	57	317	60
9	William Hall	70	57	239	20
10	Joseph R. Henderson	380	57	286	80
11	Littleberry B. Hughes	100	57	244	00
12	Joseph Johnson	58	57	237	28
13	Matthew McClanahan	44	57	235	04
14	James R. McMeans	160	57	253	60
15	John Nelson	600	57	324	00
16	James Preston	300	57	276	00
17	Benjamin Reynolds	100	57	244	00
18	John W. Simpson	180	57	256	80
19	William C. Smartt	140	57	250	40
20	Joel Walker	100	57	244	00
	Russell Dancr, Clerk		57	342	00
	William I Anderson, engrossing cl'k		57	342	00
	Cornelius Slater, door keeper		57	228	00

A bill for the benefit of the Nashville Bridge Company and Nashville Bank,

Was read the third and last time.

Mr. McMeans moved to strike out so much of said bill as authorizes the Nashville Bank to dispose of its real estate by Lottery,

And the question thereon was taken,

And determined in the negative.

There being ayes 8, noes 11.

The ayes and noes being required.

Those who voted in the affirmative, are	Those who voted in the negative, are
Mr. Amis,	Mr. Speaker Foster,
Brown,	Anderson,
Bradford,	Frey,
Cleveland,	Gass,
M'Means,	Hall,
Nelson,	Henderson,
Preston &	Hughes,
Smartt—8	Johnson,
	M'Clanahan,
	Simpson and
	Walker—11

And so the said motion was lost.

And the question thereon was taken:

Shall the said bill pass?

And determined in the negative.

There being ayes 8, noes 10.

The ayes and noes being required,

Those who voted in the affirmative are,	Those who voted in the negative are,
Mr. Speaker Foster,	Mr. Amis,
Anderson,	Brown,
Frey,	Bradford,
Gass,	Cleveland,
Hall,	Hughes,
Henderson,	Johnson,
Simpson &	M'Clanahan,
Walker—8.	Nelson
	Preston &
	Smart—10

And so the said bill was rejected.

A bill to prevent the depreciation of the "Nashville Bank" paper in the hands of the good people of this state,

Was read the third time.

Mr. Bradford moved to reinstate a section of the original bill which had been stricken out in the house of representatives, which requires the Nashville Bank to deposit all her sound funds now on hand in the Bank of the State on account of her notes held by said bank, and to secure the ultimate payment of the balance on hand and to be received under the provisions of this act by a deposit of good stock notes with the Treasurer of West Tennessee as collateral security.

And the question thereon was taken,

And determined in the negative.

And so the said section was not reinstated.

Mr. Johnson then moved to strike out the last section, which required renewals hereafter to be made semiannually instead of quarterly as heretofore,

And the question thereon was taken,

And determined in the affirmative.

There being ayes 11, noes 8.

The ayes and noes being required,

These who voted in the affirmative are,	Those who voted in the negative, are
Mr. Speaker Foster,	Mr. Bradford,
Amis,	Cleveland,
Anderson,	Cross,
Brown,	McClanahan
Ford,	McNeans,
Hall,	Nelson,
Henderson,	Preston &
Hughes,	Spurrit—8.
Johnson,	
Simpson, &	
Walker—11.	

And so the said section was stricken out.

The said bill as amended was then passed the third time.

A bill to amend an act, entitled "An act to incorporate a company for opening a Turnpike road from Nashville to Columbia," passed Nov. 19th, 1825.

A bill to incorporate the town of Trenton in the county of Gibson.

A bill to repeal the first section of an act, entitled "An act directing certain papers to be read in evidence in suits concerning reservations taken under the late treaties with the Cherokee Indians.

A bill for the benefit of the clerk of the circuit of McMinn county.

A bill to amend a supplemental act, entitled "An act for the encouragement of Iron works.

A bill to amend the penal laws of this state.

A bill to regulate the duties of jailors and to ameliorate the condition of prisoners, and

A bill providing further time to make survey and return plats and certificates,

Were severally read the second time and passed.

A bill for the benefit of persons having fractions of warrants or certificates heretofore filed in the office of the principal surveyor of the sixth district.

A bill for the benefit of Philip J. Smith.

A bill to repeal an act, entitled "An act directing certain papers to be read in evidence in suits concerning reservations taken under the late treaties with the Cherokee Indians," passed 30th Nov. 1825.

A bill for the benefit of George S. Jarratt.

A bill to regulate the sitting of courts in the Western district.

A bill for the benefit of Wm. B. Claitor, and

A bill to fix permanently the seat of justice in Shelby county and for other purposes,

Were severally read the third time and passed.

A bill for the benefit of the corporations of Blountsville and Kingsport.

A bill to establish the lines between the counties of White and Bledsoe.

A bill to authorize John Brown and Robert Burk to open a Turnpike road.

A bill to repeal part of an act authorizing Reuben Ross to build a bridge across the Caney Fork.

A bill for the benefit of Michael Read, Franklin Whitaker and John Gee.

A bill to make lawful grants and entries within five miles of the Caney fork.

A bill to establish the town of Russellsville in the county of Jefferson.

A bill to authorize the creation of a volunteer company of artillery in the town of Paris.

A bill to amend an act, entitled "An act to provide for running the line between the counties of Jackson and Overton," passed Dec. 3d, 1825.

A bill to establish an academy in the town of Covington in the county of Tipton.

A bill for the relief of A. N. Montgomery.

A bill supplemental to an act, entitled "An act to authorize Charles Gamble, Crispan E. Shelton and John Witt to open a Turnpike road.

A bill to authorize the payment of certain expenses.

A bill to authorize Reuben Ross to enter certain lands.

A bill for the benefit of John P. Dix.

A bill for the benefit of A. Crockett.

A bill requiring security to be given in suits by motion.

A bill to suspend the sale of School Lands and collect rents.

A bill concerning a Well to be dug in the town of Lawrenceburg.

A bill for the benefit of Fred. A. Ross of Hawkins county.

A bill concerning costs in certain cases.

A bill to alter the time of holding the courts therein mentioned.

A bill to repeal an act, entitled "An act for the relief of purchasers of land in the Hiwassee district and for other purposes.

A bill to incorporate Mount Cumberland Academy in the county of Fentress.

A bill for the relief of the heirs of Jno. Weems.

A bill to authorize Matthew W. Wright to build a bridge.

A bill to authorize Geo. Sharp and others to build fish traps in Powell's river.

A bill for the relief of those citizens in the Hiwassee district who are sued for their land by Indian reservees and for other purposes.

A bill prescribing the duty of commissioners hereafter to be appointed by the county courts south and west of the congressional reservation line in receiving and reporting a list of the taxable property therein mentioned.

A bill for the benefit of Isaac & Elizabeth Pearce.

A bill for the relief of the persons therein named.

A bill to make good all grants issued by the state of N. Carolina on entries and warrants made west of Brown's line.

A bill concerning mill dams which have been unlawfully built across Elk river.

A bill to authorize Nathan Haggard and James McKinley to open a Turnpike road.

A bill to diminish cost in suits.

A bill for the relief of Robert L. Cobbs and others.

A bill for the relief of Philip Maury.

A bill for the benefit of Thomas McBath.

A bill for the relief of the heirs of Lewis Odom.

A bill for the relief of the sheriff of Carroll county and for other purposes.

A bill for the relief of A. P. Maury and John Fitzgerald.

A bill to authorize a resurvey of Overton county.

A bill to authorize the raising of a Rifle company out of the 14th and 95th regiments T. M.

A bill to legalize the proceedings of Wm. Tyrrell, who was appointed a justice of the peace for Obion county.

A bill to amend an act entitled "an act, supplemental to an act, entitled "an act to settle the claims of N. Carolina, and for the benefit of the occupants of the western district," passed at the last session of the general assembly, and

A bill concerning the public highways in Tipton county.

Were severally read the third and last time passed and

Ordered, to be engrossed.

A bill for the relief of John Parks,

Was read the third and last time,

The question was then taken,

Shall the said bill pass?

And determined in the affirmative.

There being ayes 8, noes 7.

The ayes and noes being required.

Those who voted in the affirmative are,	Those who voted in the negative are.
Mr. Anderson,	Mr. Speaker Foster,
Brown,	Amis,
Cleveland,	Frey,
Hall,	Hughes,
Henderson,	Johnson,
Nelson,	M'Means &
Preston &	Walker—7.
Simpson—8.	

And so the said bill passed and was ordered, to be engrossed.

On motion of *Mr.* Hall,

A bill for the relief of the Nashville bridge company and the Nashville Bank, which was rejected this day, was reconsidered.

Mr. Henderson then moved to strike out so much of said bill as authorizes the Nashville Bank to dispose of its real estate by Lottery.

And the question thereon was taken:

And determined in the affirmative.

Ordered that the clerk acquaint the House of re-

presentatives therewith, and ask their concurrence therein.

In which amendment the house of representatives concurred and informed the senate thereof by message.

The said bill as amended was then passed the third and last time and

Ordered, to be engrossed.

A message from the house of representatives by Mr. Campbell their clerk.

Mr. Speaker:

The speaker of the house of representatives having signed enrolled bills entitled

An act for the relief of Alice S. Wilson.

An act for the relief of Jane Reynolds of Shelby county.

An act to incorporate the Bolivar academy in the county of Hardeman.

An act regulating the duty of clerks and sheriffs of the different counties in relation to receiving and counting the votes for and against a convention at the next general election.

An act to incorporate the Hiwassee Canal Company, and

An act to authorize Jesse Savage and Benjamin Cannon to open and keep in repair a Turnpike road,

I am directed to deliver them to the senate to receive the signature of their speaker.

The house of representatives have taken up your resolution proposing to elect a fifth judge of the supreme court of errors and appeals, and have indefinitely postponed the consideration thereof.

And then he withdrew.

The speaker signed the enrolled bills received from the house of representatives.

Ordered that the clerk deposit the same in the office of the secretary of state.

The speaker and gentlemen of the senate repaired to the hall of the house of representatives for the purpose of going into the elections set apart for this

day by joint resolutions heretofore adopted, and were invited to seats within the hall.

The two houses then proceeded, by ballot, to the election of a Surveyor for Grainger county, and an entry taker for Rutherford county, and upon collecting and counting out the ballots the speaker of the senate declared in presence of both branches of the general assembly that Harmon E. Lee was duly and constitutionally elected surveyor for Grainger county and Henry D. Jamison entry taker for Rutherford county.

Whereupon, the speaker and gentlemen of the senate returned to their own chamber, and the speaker resumed the chair.

On motion of Mr. Anderson,

A bill to repeal part of an act adding two additional judges to the supreme court of errors and appeals, which had been rejected this day, was reconsidered and

Ordered, to lie upon the table.

A bill to compel the commissioners in the town of Huntingdon, in Carroll county, to account for and pay over the public monies and for other purposes.

A bill to compel the officers therein mentioned to perform certain duties, and

A bill supplemental to an act, entitled "An act for ascertaining the method of proving book debts," passed at Newbern, 12th Dec. 1754,

Were severally read the second time and rejected.

A bill directing the disposal of Academy monies.

A bill to prevent any person in this state from removing a civil action from one county to another without giving security for the costs.

A bill to amend an act, entitled "An act to authorize John Brabson of Sevier county to build a mill dam across south sluice of French Broad river."

A bill to amend an act directing the manner a change of venue should be obtained, and

A bill supplementary to the judge holding the circuit court for the county of Greene.

Were severally read the third time and rejected.

A bill to incorporate the town of Covington.

A bill to repeal an act, entitled "an act to extend the town of Gallatin, in the county of Sumner" passed Nov. 16th, 1821, and

A bill for the benefit of Jesse Williams.

Were severally read the third and last time passed and

Ordered to be engrossed.

Mr. Brown submitted the following resolution:

That the general assembly may know, with as much certainty as is practicable, what number of volumes of the laws of the state, revised by John Haywood and Robert L. Cobbs, shall be printed consistently with the interest of the state,

Resolved, that the "Secretary of State," at any time between this and the next session, when he may by said persons be required so to do, shall put out subscription papers therefor as they may direct, and shall forward one or more of such papers to each clerk and sheriff in this state, whose duty it shall be to obtain subscriptions thereto, from all persons choosing to subscribe (justices of the peace and said officers excepted) and that said officers make a return of said subscription papers to the secretary of state two months before the first or any of the next sessions.

Resolved, that if any of said justices or said officers should wish to have the full edition of said revisal, that then the said officers take the subscription of such person in such manner as to show that, with the initials of their official capacity annexed.

Resolved, that where said persons in revising the laws, may ultimately not be able to agree, as to what head any part of the law shall be placed under, or whether any law or part of a law be absolute, superceded, expired or repealed, that such differences be decided by William L. Brown, whois hereby required to act in such case or cases, and that said persons revising make report on their work to the general as-

sembly at its next session, with such suggestions thereon as they or either of them may deem useful.

The said resolutions were read at the clerk's table and adopted.

Ordered, that the clerk acquaint the house of representatives therewith and ask their concurrence therein.

And then the senate adjourned.

MONDAY, DECEMBER 11, 1826.

Mr. Johnson from the committee on enrolled bills, Reported,

That they had examined and found truly enrolled.

An act to confirm and make good all grants issued by the state of North Carolina, west of Brown's line.

An act to authorize Nathan Haggard and James M'Kinley to open a turnpike road.

An act to revive an act entitled an act to provide for running the line between the counties of Jackson and White passed Dec, 5, 1825.

An act authorizing the creation of a volunteer company of artilery in the town of Parris.

An act to make lawful, grants and entries to land within five miles of the caney fork.

An act to establish the town of Russellsville in the county of Jefferson.

An act to establish an academy in the county of Tipton.

An act for the relief of A. N. Montgomery.

An act supplemental to an act entitled an act to authorize Charles Gamble, Crispen E. Shelton and John Wit, to open a turnpike road.

An act to legalize the proceedings of Wm. Tyrrell who was appointed a justice of the peace for Obion county.

An act to authorize John Brown and Robert Burks to open a turnpike road.

And act to repeal part of an act authorizing Reuben Ross to build a bridge across caney fork.

An act to suspend the sale of school lands and to collect rents.

An act for the relief of the Nashville bridge company.

An act to extend the limits, and incorporate the inhabitants of the town of Covington in the county of Tipton.

An act for the relief of Michael Read, Franklin Whitaker and John Gee.

An act for the relief of the sheriff of Carroll county and for other purposes.

An act to authorize the raising a rifle company out of the 14th and 95th regiments.

An act for the benefit of the corporations of Blountsville and Kingsport.

An act to amend an act supplemental to an act entitled an act to settle the claims of North Carolina and for the benefit of the occupants of the western district.

An act to authorize a resurvey of Overton county.

An act to diminish costs in suits.

An act to authorize Matthew W. Wright to build a bridge.

An act for the relief of John Parks.

An act for the relief of A. P. Maury and John Fitzgerald.

An act for the relief of Robert L. Cobbs and others.

An act to repeal an act entitled an act to extend the town of Gallatin in the county of Sumner passed Nov. 16th 1821.

An act for the benefit of Jesse Williams.

An act to authorize Reuben Ross to enter certain lands.

An act for the relief of John P. Dix.

An act requiring security to be given in suits by motion.

An act to authorize the payment of certain expenses.

An act for the benefit of A. Crockett.

An act for the relief of Dempsey Odum the only heir and legal representative of Lewis Odum.

An act to establish the line between the counties of White and Bledsoe.

An act to incorporate the Mount Cumberland Academy in the county of Fentress.

An act to alter the time of holding the courts therein mentioned.

An act to repeal an act entitled an act for the relief of purchasers of land in the Hiwassee district and for other purposes.

An act to prescribe the duty of commissioners hereafter to be appointed by the county courts south and west of the congressional line in receiving and reporting a list of the taxable property therein mentioned.

An act to authorize James Street and Alexander Street to build a mill on Duck river in Bedford county.

An act to revive an act passed August 23d 1822 entitled an act for the relief of Valentine and Charles Sevier.

An act for the benefit of Francis Moore and Robert C. Davis.

An act for the relief of those persons in the Hiwassee district who are sued by indian reservees for their lands.

An act to authorize George Sharp and others to build a fish trap in Powels river.

An act for the relief of Isaac and Elizabeth Pierce and others.

An act concerning costs in certain cases.

An act for the benefit of James Bradford, sheriff of Jefferson county.

An act to authorize Willie Ledbetter to hawk and peddle.

An act to amend an act entitled an act to make it the duty of the registers to correct errors committed in the issuance of certain grants.

An act for the benefit of Mark P. Duncan.

An act to amend an act entitled an act to incorporate inhabitants of the town of Nashville.

An act to establish a third battalion in the 9th regiment.

An act explanatory of an act passed at the present session of the general assembly.

An act concerning a well to be dug in the town of Lawrenceburg.

An act to incorporate the subscribers to the Nashville insurance company in the state of Tennessee.

An act for the benefit of Frederick A. Ross of Hawkins county.

An act to authorize Thomas *M'*Bath to hawk and peddle.

An act to authorize the drawing of a lottery in the county of Henderson.

An act for the relief of the heirs of John Weems.

An act concerning the public highways in Tipton county.

An act for the relief of Philip Maury.

An act concering a mill dam which has been unlawful built across Elk river by Stephen Cole.

An act to amend an act entitled an act to incorporate a company to open a road from Nashville to Columbia, and

An act to incorporate the town of Trenton in the county of Gibson.

The speaker signed said enrolled bills,

Ordered, that the clerk transmit the same to the house of representatives, to receive the signature of their speaker.

Mr. Anderson from the committee appointed for that purpose,

Reported,

A memorial to the congress of the United States, praying them to ratify a contract made by John

Walker sen'r. Gideon Morgan jun'r. and others with the Cherokee Indians, granting to said Walker Morgan &c. six miles square, and appropriate the proceeds as therein expressed.

Which memorial was read and concurred in.

Ordered, that the clerk acquaint the house of representatives therewith and ask their concurrence therein.

In which memorial the house of representatives concurred and acquainted the senate therewith, by message.

Mr. Frey submitted a resolution requiring the treasurers of east and west Tennessee to report to the next general assembly certain information in relation to the academy monies and the interest accrued thereon.

Which was read and adopted.

Ordered that the clerk acquaint the house of representatives therewith and ask their concurrence therein.

In which resolution, the house of Representatives concurred, and acquainted the senate therewith by message.

A message from the house of representatives by Mr. Campbell their clerk:

Mr. Speaker,

The speaker of the house of representatives, having signed enrolled bills entitled.

An act for the benefit of Wm. *B.* C. Claiter.

An act to fix permanently the place of holding the circuit and county courts of Shelby county, and for other purposes.

An act to prevent the depreciation of the Nashville bank paper in the hands of the good people of this state.

An act for the benefit of persons having fractions of warrants or certificates heretofore filed in the principal surveyors office of the sixth district.

An act to regulate the sitting of the courts in the western district.

An act for the benefit of Philip J. Smith.

An act to repeal an act directing certain papers to be read in evidence in suits concerning reservations taken under the late treaties with the Chero-Indians.

An act to encourage domestic manufactures,

An act for the benefit of common schools.

An act for the relief of the Murfreesboro sentinels and for other purposes.

An act for the benefit of Banks M. Burrows of Carroll county,

An act for the relief of Wilson Cage.

An act for the relief of securities in certain cases.

An act appointing council and an agent for the purposes therein mentioned.

An act for the relief of the persons therein named.

An act for the relief of Richard Belcher and Wm. Baker.

An act for the relief of Wm. Philips late sheriff of Hickmin county.

An act for the relief of Wm. Gann of Perry county.

An act for the relief of C. F. M. Goodream.

An act authorizing the drawing of a lottery to build a bridge over Cypress creek in Humphreys county.

An act to incorporate the town of Memphis in Shelby county.

An act to authorize the county court of Overton county to lay a tax for certain purposes.

An act for the relief of Andrew Taylor late sheriff of Carter county.

An act to prevent nuisances in the water courses in this state.

An act for the relief of Robert Craig, and

An act authorizing suits to be brought against one of several executors or administrators in certain cases, and for other purposes.

I am directed to deliver them to the senate, to receive the signature of their speaker.

They have adopted the following resolutions in which they ask your concurrence.

A resolution referring grant no. 1627,

A resolution for the relief of Wm. Hunter.

A resolution referring sundry grants, and

A resolution directory to the registers of this state.

And then he withdrew.

The speaker signed the enrolled bills received from the house of representatives.

Ordered, that the clerk deposit them in the office of the secretary of state.

The resolutions received from the house of representatives, were severally read and concurred in except the resolution directory to the registers of this state, which was nonconcurred in.

Ordered that the clerk acquaint the house of representatives therewith.

Mr. Walker submitted the following resolution which was adopted:

Resolved, that a joint select committee be appointed to wait upon his excellency the governor and inform him that the legislature have finished all the business before them, and know if he has any further communications to make them.

Ordered that the clerk acquaint the house of representatives therewith, and ask their concurrence therein.

In which resolution the house of representatives concurred, and acquainted the senate therewith by message.

A bill to amend an act to incorporate a company for opening a turnpike road from Nashville to Columbia.

A bill to alter the time of holding the Rutherford circuit court.

A bill to incorporate the town of Trenton in the county of Gibson.

A bill to regulate the duties of jailers and to ameliorate the condition of prisoners.

A bill providing further time to make surveys and return plats and certificates.

A bill for the benefit of the clerks of the circuit court of M'Minn county.

A bill to amend an act supplemental to an act for the encouragement of iron works.

A bill to amend the penal laws of this state, and

A bill appropriating money to defray the expence of the second session of the sixteenth general assembly,

were severally read the third and last time, passed and

Ordered, to be engrossed.

A bill to repeal part of the law appointing two addition judges to the supreme court of errors and appeals.

Was read the third and last time,

And the question thereon was taken,

Shall the said bill pass?

And determined in the negative.

There being ayes 8, noes 12.

The ayes and noes being required.

Those who voted in the affirmative are,	Those who voted in the negative, are
Mr. Amis,	Mr. Speaker Foster,
Bradford,	Anderson,
Cleveland,	Brown,
Henderson,	Frey,
*Mc*Clanahan	Gass,
Nelson,	Hall,
Preston &	Hughes,
Smartt—8.	Johnson,
	M'*M*eans,
	Reynolds,
	Simpson, &
	Walker—12.

And so the said bill was rejected.

Mr Johnson from the committee on enrolled bills, Reported,

That they had examined and found truly enrolled,

An act providing further time to make surveys and return plats and certificates.

An act to alter the time of holding the Rutherford circuit court.

An act making an appropriation of money to defray the expences of the sixteenth general assembly.

An act for the benefit of the clerk of the circuit court of M'Minn county.

An act to amend an act supplemental to an act for the encouragement of iron works.

An act to amend the penal laws of this state, and

An act to regulate the duty of jailors and to ameliorate the condition of prisoners.

The speaker signed said enrolled bills.

Ordered, that the clerk transmit them to the house of representatives to receive the signature of their speaker.

Mr. Walker from the committee appointed to wait upon the governor, reported,

That they had performed the duty assigned them, and presented the following communication from the governor.

Mr. Speaker and gentlemen of the senate, having nothing of a public nature to communicate to you, permit me to request the pleasure of your company when you adjourn to partake of some refreshments.

As this is probably the last time you may have an opportunity of acting together in the subject proposed, I hope I shall not be considered unreasonable in requesting a unanimous vote,

With great consideration,

Most respectfully, gentlemen,

Your obedient servant,

WM. CARROLL.

December 11th, 1826.

The above invitation was unanimously accepted.

Mr. Reynolds submitted the following resolution which was adopted.

Resolved, that the president of the bank of the state, have printed a sufficient number of copies of the act passed at the present session to prevent the depreciation of the Nashville bank paper in the hands of the good people of this state to be furnished to each agent in the state.

Ordered that the clerk acquaint the house of representatives therewith, and ask their concurrence therein.

Mr. Nelson submitted the following resolution, (Mr. Hall being in the chair.)

Which was unanimously adopted:

Resolved, that the thanks of the senate be tendered to Robert C. Foster speaker, for the impartial and dignified manner in which he has presided over its deliberations during the present session.

A message from the house of representatives by Mr. Campbell their clerk.

Mr. Speaker:

The house of representatives concur in your resolution relative to the revisals of the statutes of this state, also that the president of the bank of the state have printed for the use of the agents, the act concerning the Nashville bank paper.

They have finished all the business before them, and are ready to adjourn sine die.

And then he withdrew.

Ordered, that the clerk do by message acquaint the house of representatives that the senate have also dispatched all the business before them and are ready to adjourn without day.

And then the senate adjourned sine die.

R. C. FOSTER,
Speaker of the senate.

RUSSELL DANCE,
Clerk of the senate.

JOURNAL

OF THE

COMMITTEE OF THE WHOLE

OF BOTH HOUSES,

ON THE RESOLUTION FOR THE CALL OF A

CONVENTION.

In conformity with a joint resolution adopted on the 21st ult. by both branches of the general assembly, the speaker and gentlemen of the senate this day, at the hour of 11 o'clock, A. M. being the 9th day of November, 1826, repaired to the hall of the house of representatives for the purpose of taking into consideration the propriety and expediency of recommending to the electors, at the next general election to vote for or against a call of a convention and were invited to seats within the hall.

The resolution convening the two houses was then read at the clerk's table—when,

On motion of Mr. Camp, of the house of representatives,

The two houses resolved themselves into a committee of the whole, and Mr. Hall of the senate was called to the chair.

On motion of *Mr.* Brady of the House of Representatives,

Ordered, that the clerks of the senate and the clerk of the House of Representatives, each, keep a journal of the proceeding of this committee, and that the same be printed and appended to their respective journals.

Mr. Camp (of the House of Representatives) submitted the following resolution:

Resolved, by the general assembly of the state of Tennessee, (two thirds of the general assembly concurring therein) that it be, and is hereby recommended to the good people of this state, at the general election in August, 1827, to vote for or against the call of a convention to revise the constitution of this state.

Which was read at the clerk's table,

And the question thereon was taken,

Will the committee adopt said resolution,

And determined in the affirmative.

There being ayes 43, noes 17.

The ayes and noes being required.

Those who voted in the affirmative are,

Messrs. Speaker Foster, Brown, Bradford, Frey, Gass, Hall, Hughes, Johnson, M'Clanahan, M'Means, Nelson, Reynolds, Simpson, Smartt and Walker, of the Senate.

Messrs. Speaker Brady, Batson, Balch, Buchanan, Camp, Cheatham, Crisp, Desha, Douglass, Fletcher, Fitzgerald, Frazier, Gibbs, Graham, Hardin, Hurling, Kelly, Kincaid, Lytle, M'Alister, M'Clain, Martin, *Moore*, Perkins, Thomas, Thompson, Williamson and White, of the House of Representatives—43.

Those who voted in the negative are,

Messrs. Amis, Anderson, Cleveland, Henderson and Preston of the Senate.

Messrs. Brabson, Dulaney, Hope, M'Farland, M'Iver, Massengill, Parsons, Reneau, Stuart, Tipten, Tunnell and Turney, of the House of Representatives—17.

And so the said resolution was adopted, two thirds of the general assembly having voted therefor, as required by the constitution of this state.

On mothion of Mr. Fletcher of the house of representatives, the committee rose, and the speakers resumed their chairs, when Mr. Hall reported that the committee had adopted a resolution recommending to the electors at the next general election to vote for or against a call of a convention.

Which report was concurred in by both branches of the general assembly.

And then the speaker and gentlemen of the senate returned to their own chamber.

W. HALL, Chairman
of the Committee.

RUSSELL DANCE, Clerk of the Senate.

THOMAS J. CAMPBELL,
Clerk of the House of Representatives.